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Sá da Bandeira

Facts and Statements concerning
the Right of the Crown of
Portugal to the Territories of
Molembo, Cabinda, Ambriz
and other Places on the
West Coast of Africa

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FACTS AND STATEMENTS

CONCERNING THE RIGHT OF THE

CROWN OF PORTUGAL

TO THE TERRITORIES OF MOLEMBO, CABINDA,
AMBRIZ, AND OTHER PLACES ON THE WEST
COAST OF AFRICA,

SITUATED

BETWEEN THE FIFTH DEGREE TWELVE MINUTES, AND
THE EIGHTH DEGREE OF SOUTH LATITUDE

BY THE

VISCOUNT DE SA DA BANDEIRA.

LISBON, 1855.

*Translated into English from the original Portuguese, and presented
by the Translator to the British Public.*

LONDON:

HERBERT J. FITCH, PRINTER, 9, ST. MARY AXE, E.C.

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N O T E .

THE perusal of the Viscount of Santarem's excellent memorial, published last month, on the rights of the Crown of Portugal to the territories of Molembo, Cabinda, and Ambriz, induced me to write this pamphlet, in which will be found some notices that may be added to the proofs adduced by that illustrious author, and others of important facts which have recently transpired, relative to the same rights and the same territories.

THE AUTHOR.

LISBON, *Nov.* 1855.

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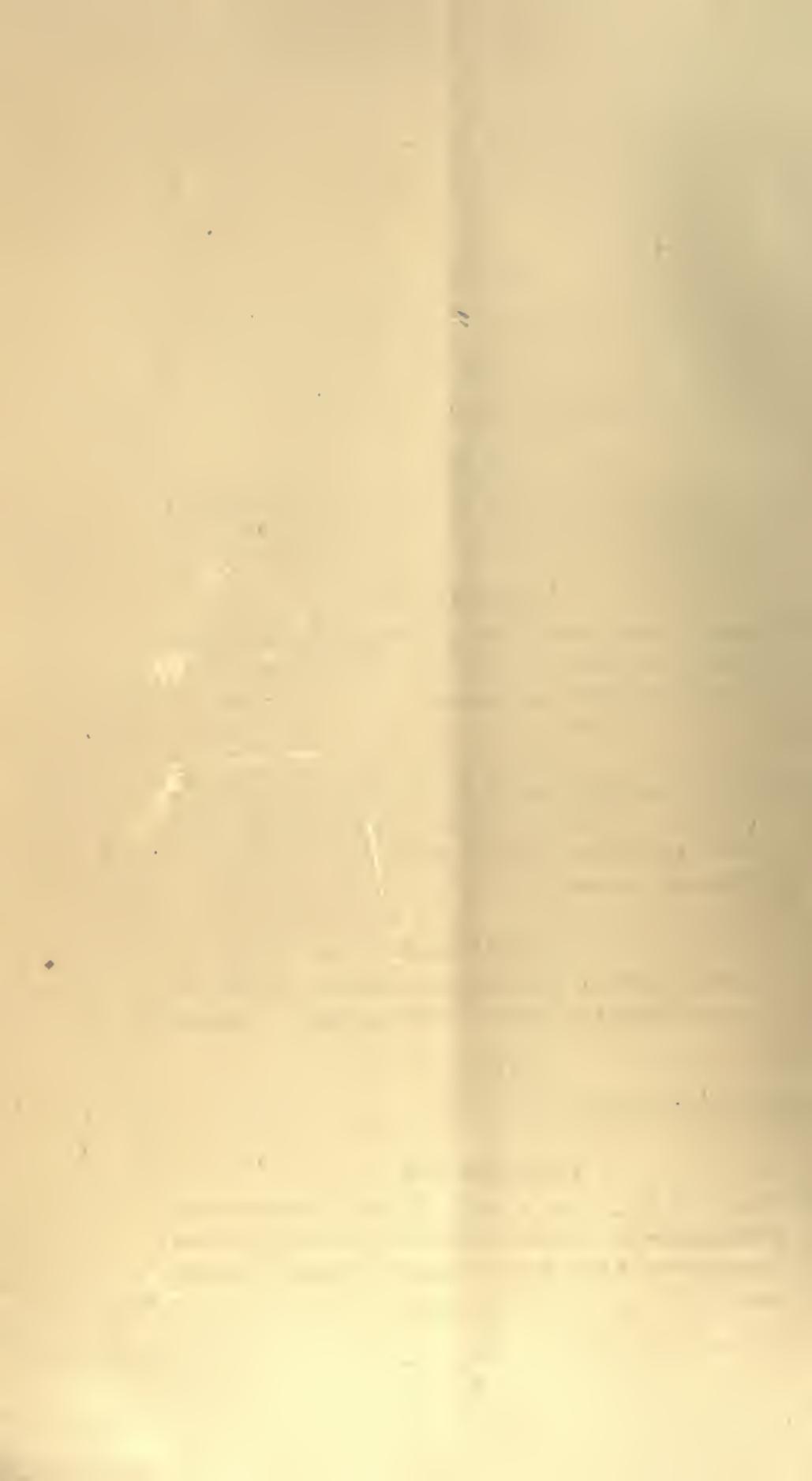
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CHAPTER I.

OCCURRENCE OF VARIOUS FACTS ON THE WEST COAST OF AFRICA SITUATED BETWEEN THE FIFTH DEGREE TWELVE MINUTES, AND THE EIGHTH DEGREE SOUTH LATITUDE. THE CONVENTION OF 1786 BETWEEN PORTUGAL AND FRANCE. THE CONQUEST OF MOSSULO IN 1790-1.

IN a memorial recently published by the Viscount de Santarem, he proves that from the reign of King D. João II. the Crown of Portugal has considered itself sovereign of all the coast included between Cape Lopo Gonçalves and Cape Negro; that is approximately from the 1st to the 16th degree of south latitude.

In the seventeenth century the Government of Angola extended its jurisdiction, in a more or less direct manner, over the coast lands stretching between these two capes, where the Portuguese dominion was secured by means of factories or forts which it had in the ports of Loango and Cabinda to the north of the river Zaire, and in Sonho to the south of this river; in this latter district there existed a hostel for missionaries sent from Portugal, vestiges of which still remain; in a like manner the country between the Zaire and the river Dande was dominated. The principal establishments which existed to the south of this latter river were Loanda, and Old and New Benguella.

The most notable of the petty kings or chieftains of the country received titles of nobility from the Kings of Portugal as a reward for their services and in token of vassalage; many of these titles have been preserved up to the present day by the successors of those on whom they were conferred, such as the Count of Sonho, the Duke of Bamba, the Duke of Quina, the Marquis of Pemba, the Marquis of Mossulo and others: besides this, they still use the honorary distinction of Dom prefixed to the proper Portuguese names they have adopted; as for example, Dom Affonso, Dom Andre, etc.

Captain-General Salvador Corrêa de Sa, having expelled the Dutch troops who garrisoned Loanda and other parts of Angola, in 1648, ordered without delay the attack and subjugation of the factories of Loango, and of Pinda on the river Zaire, which was carried into effect.

At a later period, some serious misunderstandings having arisen between the Governors of Angola and the Kings of Congo, others also arose between the Portuguese chiefs of the factories and forts and the neighbouring chieftains; and these, profiting by the situation, and actuated by their private interests, sometimes rendered obedience as vassals of Portugal, at others said they were vassals of the King of Congo, and again at other times they declared they were independent sovereigns.

The most notable rebellion was that of the Count of Sonho, because a Portuguese force, having been taken in ambush, was routed by the negroes of that chieftain.

After this, wishing to concentrate considerable forces at Loanda, the Governors of Angola abandoned the northern forts, which led to vessels of other nations engaging in the slave trade to a considerable extent in those ports, it being estimated that in one year alone the French carried off more than twenty thousand negroes from thence.

The chief reason why the Governors of Angola looked upon

the abandonment of the northern ports with indifference, was, because the slaves exported from Angola being almost exclusively intended for the Brazils the number shipped from Loanda and Benguella sufficed for the requirements of that vast colony; it was even more convenient for the Governors to concentrate all the trade in the above ports of Loanda and Benguella, because such a step rendered the supervision of the duties paid on the exportation of slaves more easy; and this was also the reason why such slaves as were bought in the port of Loanda and that of Pinda, situated on the river Zaire, were conveyed from thence in smacks to Loanda, where the vessels from the Brazils were in readiness to receive them.

Meanwhile the Portuguese Crown always maintained its right of sovereignty over that part of the coast stretching from Molembo to the south, as is shown by numerous facts; some of which we proceed to narrate.

In the first place we copy the following extract from a work written by Francisco Xavier da Silva, referring to King D. João V., and printed in Lisbon in 1750:—

“ His Majesty learning that some English adventurers or pirates had in the interest and welfare of their commerce, set up an establishment on the coast of Guinea, on the site of Cabinda, which is between Angola and Congo to the north of the river Zaire, which was then uninhabited; directly ordered Post-Captain José de Semedo Maya to set sail in the ship *Our Lady of the Atalaya*, with all necessary munitions, to repair such act of excess; not solely because they had not the sovereign's permission, but because of the damage that might be done to the trade of Angola and the adjacent islands on that coast, in the future. The captain, who was an experienced, resolute and courageous man, sailed from the bar of Lisbon on the 16th May 1723, and laying his course for Angola, arrived there on the 12th September. After receiving information as to the situa-

tion of Cabinda, and the fort which the adventurers had erected on the above site, and also as to other matters connected with the expedition, he proceeded on the 6th October to Cabinda, where, on the 23rd of the same month he sighted the fort which he found to be defended by two ships. He attacked these, and after their surrender, valiantly cannonaded the fortress for the space of forty-eight hours, obliging the garrison to capitulate and march out of it; he took possession of the fort on the 26th, and at once ordered it to be razed, and the moat to be filled in. Thus His Majesty endeavoured by the means of arms to preserve the common weal of his kingdom, which is a matter of such importance as to merit the largest amount of protection from Monarchs; because trade enriches Republics with everything that is needful for the life of man, and the dealings of Courts.

“ The said Captain found thirty-five pieces of artillery in the fort, of which number he took twenty-four on board, and after spiking and breaking up eleven of the others he had them buried in the moat, being unable to carry them away; and because a paucity of sailors prevented his bringing away a ship which served as a depôt there he set fire to her, the Crown of England not resenting this act, because guided by its intimate sympathy and friendship for Portugal, it fully recognised the justice attending the latter in its endeavour to re-establish a pacific possession which should not again be disputed in this particular.”

The laws of the 11th and 25th of January 1758, rendered the commerce of Angola, Congo, Loango, Benguella and other garrisoned ports in that part of Africa, free and common to all Portuguese, monopolies of every kind being prohibited there.

The Royal letter of the 5th August 1769, addressed to the Captain-General of Angola, D. Francisco Innocencio de

Sousa Coutinho, treating of the Slave Contract Company which the king ordered to be suppressed, ordains that the patent abolishing the said company shall be published for the space of fifteen days in the city of Angola, in Loango, Benguella, and other adjacent garrisoned places.

The Secretary of State, Martinho de Mello e Castro, in a despatch addressed to the Governor and Captain-General of Angola on the 20th of June 1779, speaks of the port of Loango as belonging to the Crown of Portugal, and in that year he, in the name of the Queen D. Maria I., orders the said Governor to re-establish *the ancient dominion in the northern coast*, and to cause a fort to be erected in the port of Quitungo, (*) another in that of Cabinda, another on the banks of the Zaire, and another in Molembo. The same Government, however, modified this resolution in 1782, and ordered that considering the unhealthiness of the climate only one fort should be constructed, viz., in Cabinda. The Secretary of State observes on this occasion, that the fortresses built on the coast of Africa are only intended to hold the natives and merchant vessels in check, and not to resist a powerful maritime expedition made by an European power.

On the 17th July 1783, an expedition sailed from Loanda to Cabinda under the command of Post-Captain Antonio Januario do Valle and Lieutenant-Colonel Pينهيرو Furtado and in its port constructed a fort which was built with the consent and approval of the Mam-buco and the other chiefs of the country; who having gone on board the frigate *Graça*, there declared to the said commanders of the expedition, that they not only ceded the land required for the construction of the fort, but that they also subjected themselves to whatever the said commanders might ordain. All of which is shown in the

(*) The port of Quitungo is identical with that of Ambriz.

official note of the Post-Captain dated at the port of Cabinda on the 15th of August of the above year.

The ad interim Governor of Angola writing to the commander of the expedition on the 2nd September 1783, and pointing out the principal object of the expedition; said: "that the Crown of Portugal had from the reign of King D. João II. considered itself sovereign of the lands embraced between the Cape of Lopo Gonçalves and Cape Negro, and that the chief object in erecting a fortress in Cabinda was to prove an actual possession of dominion."

The commander of the expedition having interfered with the traffic in slaves which was being carried on there by two French vessels, their captains protested; and their outfitters appealing to their Government, complained that they were hindered in the prosecution of their trade; and they possessed sufficient influence to succeed in getting a division of war ships with a landing force sent against the fort of Cabinda in 1784. On the arrival of this expedition the fort was still unfinished, it having only a battery on its sea front and a simple entrenchment towards the land; and further, nearly all its petty garrison was unfit for service owing to the men having been attacked by the fevers of the country.

On being summoned to surrender by M. de Marigny, the commander of the French forces, the garrison capitulated on condition of its returning to Loanda; and the said commander ordered the demolition of the entrenchment.

In the 3rd Article of the capitulation for the surrender of the fort, made on the 23rd June 1784, the commandant declared:—

"Que le pavillon de sa Majesté très Chrétienne ne sera pas arboré (à Cabinde) pour preuve que l'intention du Roy de France n'a point été de faire une conquête, mais seulement de rétablir et maintenir l'égalité parfaite du commerce entre toutes les nations Européennes à Cabinde."

We may here note that in a despatch of the Captain-General of Angola to the Ministry for Marine and Colonies, dated the 15th December 1784, giving an account of the occurrences at Cabinda, he commended the hospitality which the captains and crews of the English ships in port at the time had shown to the Portuguese of the expedition.

With respect to this fact, Mr. Hassan, in his "History of French Diplomacy," says:—

"La bonne harmonie existant entre la France et le Portugal faillit être détruite en 1784. La cour de Lisbonne, ayant fait élever sur la côte de Cabinde, en Afrique, un fort dont le commandant entravait la traite des nègres faite par les Français, la cour de Versailles donna ordre en 1784 au Marquis de Marigny de se porter sur la côte d'Afrique avec une division de vaisseaux, de reconnaître les lieux, et de rétablir la liberté de la traite; mais il parait que M. de Marigny alla beaucoup plus loin que ses instructions, et qu'il rasa le fort; ce qui amena une contestation entre les deux cours de France et de Portugal, dans laquelle la cour de Madrid se rendit médiatrice."

The outcome of this mediation was a convention signed in Madrid on the 30th January 1876, between the Ambassadors of Portugal and France. In this convention the French Ambassador declared in the name of the King, his master:—

"That the expedition of M. de Marigny was not made with the object of opposing, weakening, or diminishing the rights which the Most Faithful Queen claims to have to the sovereignty of the coast of Cabinda as part of the kingdom of Angola; and that he will consequently issue instructions to the Governor of the Islands, naval officers and other subjects, not to place the least impediment or difficulty, either directly or indirectly, on the natives of that country, or in any other way to oppose such sovereignty and the free exercise of it."

After the conclusion of this convention, Her Most Faithful Majesty's Plenipotentiary declared:—"That the same Lady not only possesses to the south of the river Zaire the coast of Angola, but also the interior of the country from the Congo to the east-north-east, extending to the east as far as Cassange, and south to the utmost part of Benguella, many districts and captaincies presided over by governors dependent on the Governor-General of Angola, many parishes, military posts garrisoned with troops, and many settlements and villages inhabited by whites, half-castes, and blacks, who carry on a regular commerce with the barbarous native races; the sovereignty and ownership of all of which belong exclusively to Portugal: Therefore, the Most Faithful Queen does not understand, neither can she permit nor recognize any right of other nations to the trade and commerce of the coast of Angola, save in the northern part of the said River Zaire, but not south of this, nor of the Cape named Padrão (Pillar)."

The French Plenipotentiary stated he was authorised by the King his master to declare:—"That His Most Christian Majesty consents that the traffic of his vassals on the said coast should not extend south of the river Zaire, further than Cape Padrão, provided the other nations did not extend theirs beyond the said Cape."

Both Portugal, France, and Spain were parties to this convention. France declared that she respected the rights which the Crown of Portugal claimed to have to the part of the coast in dispute; and Spain as mediator agreed on her part to at least as much as France had stipulated.

England entered no objection whatever against it, and the English who were in Cabinda at the time of the French expedition behaved towards the Portuguese there as towards good friends.

Holland also showed no opposition; and when the above

expedition arrived out, there were Portuguese, French, English and Dutch vessels in the ports of Cabinda and Molembo.

Brazil at that time formed part of the Portuguese Monarchy, and had the same interests the same rights in this question as Portugal herself.

We will now pass on to another important fact.

The Marquis of Mossulo-Maniquitungo, (*) a powerful chieftain who ruled the country situated between the two banks of the river Loge and extending thence as far as the banks of the river Onzo, having in 1790 risen in rebellion, made a precipitate attack in August of the same year, and took various villages on the banks of the rivers Dande and Bengo a few leagues from Loanda, by surprise; and despoiling them of goods and slaves took the latter, to the number of two hundred or three hundred, to the port of Ambriz, where he sold them to the captains of three French and one English vessels which were anchored there, in exchange for a hundred pounds of gunpowder each, as is shown by the evidence of witnesses taken at the time.

With the object of punishing this rebel chieftain, the Captain-General of Angola issued orders for a body of troops, composed of Europeans and blacks, under the command of Sergeant-Major Pinheiro de Lacerda, to assemble near the river Lifune; which troops, commencing operations, crossed the river Onzo, and defeating the revolted Marquis and his allies in the field at different times, occupied the port of Ambriz, where they found some foreign vessels, which they treated in a friendly manner; then, crossing the river Loge, they continued their operations on its northern bank up to and beyond Luanica, the last settlement of Mossulo's situated on the right bank of the river Luc, where

(*) Maniquitungo, that is lord of Quitungo; whose port bears this name as well as that of Ambriz.

they afterwards built a fort on the left bank of the Loge at a certain distance from the port.

It appears from the route journal of the expedition, that on the 22nd December of that year, at five in the morning, the commander of the expedition had caused the Portuguese flag to be hoisted on the highest point of the land commanding the port of Ambriz, and declared that in the name of Queen D. Maria I. he had retaken possession of the port and lands adjacent, in the presence of the whole army and the ships, salvoes of musketry being given on the occasion, and a record of all these circumstances drawn up, which was duly signed by those there present.

The country being thus conquered and pacified, the expeditionary force returned to Loanda.

After a short time the conquered chieftain sent to the Governor-General, and sued for pardon, which was granted him; and after this the oath of vassalage was administered in the palace of the Government at Loanda on the 25th April, 1792, as may be seen from the deed, the title of which is as follows:—

“Deed of ‘*undamento*’ (branding or marking the body), submission and vassalage made by the Marquis of Mossulo Dom Antonio Manoel, the Sovas and Macotas, potentates of this Marquis—who, absent by impediment, were not able to appear at this act—having been defeated and conquered by the arms of Her Most Faithful Majesty, surrender themselves, and crave pardon for their excesses from His Excellency Snr. Manoel de Almeida Vasconcellos, Governor and Captain-General of these kingdoms and their conquests, who in Her Majesty’s name pardons them, and subjects them to the following conditions. Done this twenty-fifth day of April one thousand seven hundred and ninety-two.”

As this document is printed in the before-named memorial of the Viscount de Santarem, it is unnecessary to reproduce it here.

On the 8th August, 1791, the English Minister at Lisbon, Mr. Walpole, wrote to the Secretary of State for Foreign Affairs, Luiz Pinto de Souza, informing him of the sworn depositions of the captain and officers of some English vessels, as to various facts which had transpired (as they alleged) in the month of December 1790, near the mouth of the river Ambriz or Loge, and in the interior of the Mossulo's territory.

This Minister stated :—“ That the commander of the Portuguese army had ordered the English and French ships which were in the port of Ambriz to retire immediately, without having received any provocation from them, and to the serious detriment of their interests ; that from the said depositions it appeared that the Portuguese had determined upon erecting a fort on the hill where the English factories were situated, for the undoubted purpose of exclusively appropriating all the trade of that port, which had for many years been open to the English, and most particularly to the French, without the least impediment or obstacle. He also dwelt on the positive necessity Her Britannic Majesty's Government was under, of protecting the trade of its vassals already established there, which the said act of violence on the part of the Portuguese officers had rendered difficult of continuation. He also asked the Portuguese Government to explain the principles it intended to adopt with regard to that matter.”

The Minister for Foreign Affairs in replying on the 11th August said :—“ That by despatches received from the Governor and Captain-General of Angola, His Majesty learned that a petty king of *his dominions* named the Marquis of Mossulo, had without the slightest pretext rebelled, and, supported by other neighbouring people living to the north and south of the banks of the river Ambriz, had in August 1790 attacked various settlements in the dominion of Angola which he sacked, kidnapping the Por-

tuguese slaves in order to barter them with the Europeans on the above river; pillaging the villages through which he passed and stealing all the chattels of the whites, he marched to the bank of the river Bengo, and crossing it obtained to within two and a-half leagues of the city of Loanda: that he was able to do all this as a large body of negroes well armed had assembled, and hurriedly invaded the said lands."

"That the Governor of Angola in order to repel the attack and chastise the invaders, had sent a force of Europeans and blacks against them, which force in the following September had penetrated into the invaders territory and routed them, thus expelling the enemy from both the southern and northern banks of the river of Ambriz, all of which was effected by the 17th December."

"That the expedition found six merchant vessels, three of which were English, anchored in the port of Ambriz; but the commander of the expedition, far from requesting them to leave immediately as is alleged, or offering them the slightest violence, had, on the contrary, acted in a most friendly manner towards one of the English captains, as the journal of the expedition shows."

"That if British vassals had suffered in their trade or their speculations, it was on the aggressors themselves that the blame and injury must be laid, and not on the vassals of Her Most Faithful Majesty who had every right to defend themselves and take the offensive against their enemies in whatever part they might meet them."

"That the depositions of the captains were diametrically opposed to the journal of the commander of the expedition and to the tenor of numerous advices received, which attest the contrary and affirm that not even the smallest act of authority was practised against the foreign vessels, but on the contrary, that they were amicably informed that on their part they had nothing to fear." He adds "That orders had

been given to the commander of a frigate which was sailing for Angola, to give a cordial welcome to any English vessel he might meet with in that port (Ambriz), and to assist it in obtaining any commodities and stores, the supply of which he could facilitate. And that the Court of Lisbon did not intend to rescind its rights over that part of the coast (of Africa).”

From this correspondence it will be seen that the English Government, desiring that British commerce should continue to be permitted in the port of Ambriz, just as it was before the conquest, did not deny the Portuguese Crown the rights it claimed to have over that part of the African coast.

In 1793, the same Colonel (sic) Pinheiro de Lacerda that subjected the Mossulo, marched from the bar of the Dande, at the head of a considerable force, for the purpose of chastising and reducing to obedience the petty kings of Zalla, Lundo, Onde, Duque de Quina, and various others on the two banks of the river Loge, as also the Dembo Nambuangongo, who was the chief of them.

On the 28th June of the same year, the revolted chieftains being met together on the banks of the river Jolo, battle was given them and they were defeated by the Portuguese forces. From that date to the following 10th August, the latter had various encounters of minor importance with the enemy.

The Portuguese force afterwards marched to Encoge, where its commander proceeded to take certain measures for the safety and pacification of the subdued country, and in 1794 dismissed the larger part of the troops to quarters.

The defeated chieftains sent their ambassadors to Loanda, praying the Captain-General to accept their submission; (*) which he did. And they went to that city, where, according

(*) Despatch of the Captain-General of the 23rd January 1796, in the Ministry of Marine and Colonies.

to all the conditions required of them, they took the oath, and signed the respective deeds of submission and vassalage to the Crown of Portugal, which deeds were registered in the proper books (*).

Thus, as a result of the war commenced in 1793, all the petty kings on the two banks of the river Loge, from the presidency of Encoge, situated in 7° 30' south latitude and 25° 24' longitude east from Lisbon, as far as the mouth of that river, and thence north up to and beyond the river Lue, were once more subjected.

CHAPTER II.

THE TREATIES BETWEEN ENGLAND AND PORTUGAL, AND GREAT BRITAIN'S INTERPRETATION OF THEM UP TO THE MONTH OF SEPTEMBER, 1846.

Let us now examine what the stipulations in the treaties with relation to the territories in question are, and see the consequences arising from them.

By Art. X. of the treaty of alliance between Portugal and Great Britain, signed in Rio de Janeiro on the 19th February, 1810, the Prince Regent of Portugal promised not to allow his subjects to trade in slaves; he, however, excepted such trade as might be carried on in the aforesaid African dominions of the Portuguese Crown. The Article continues thus: "It is, however, to be distinctly understood that the stipulations of the present Article are not to be considered as invalidating, or otherwise affecting the rights of the Crown of Portugal to the territories of Cabinda and

(*) Archives of the Marine and Colonies, and Maritime and Colonial Annals, 5th series.

Molembo, which rights have formerly been questioned by the Government of France.”

The question raised by the French Government, to which this Article alludes, was settled as has been already stated by the Madrid convention of the 30th January, 1786, which stipulated, that on the part of Portugal no impediment should be offered to the trade which the French might carry on in the ports of the coast situated north of Cape Padrão, and the French Government on its part promised “that it would give orders to the Governors of the islands, officers on land and sea, and other French subjects, not to place either directly or indirectly, through the natives of the country or in any other way, the smallest obstacle, impediment or difficulty against the sovereignty of the Crown of Portugal, and the exercise of it.”

In this way France recognised Portugal’s rights of sovereignty to that part of the African coast; it was, however, agreed between the two Powers that French commerce should continue to be exercised in the ports mentioned.

By the treaty of the 19th February, 1810, England declared that she did not consider the rights of the Crown of Portugal to the territories mentioned—which the French Government had disputed—as invalidated or affected in any way. Now the consequence of this stipulation is, that the British Government recognised the validity of the Crown of Portugal’s rights in the same way that France had recognised them in the convention of 1786. And therefore, strictly speaking, it engaged, as the French Government had done, not to put directly or indirectly, the least obstacle, impediment or difficulty, through the natives of the country or in any other way, against the sovereignty of the Crown of Portugal, and the exercise of it.

And we must here note, firstly: that in the Madrid convention of 1786, it was declared on the part of France:—
“That the expedition entrusted to M. de Marigny was not

intended either to hinder, weaken, or reduce *the rights which Her Most Faithful Majesty claimed to have to the sovereignty of the coast of Cabinda* as part of the kingdom of Angola"; secondly:—That in Art. X. of the treaty of 1810, the rights of the Crown of Portugal to the territories of Cabinda and Molembo are mentioned in a distinct manner. In the former, rights which the sovereign of Portugal *claimed* to have, are recognised; in the latter, the validity of the *rights* of the Crown of Portugal are recognised.

It therefore appears evident that if England had considered it necessary to make the wording of the recognition of Portugal's rights to that part of the African coast more explicit than was stipulated in the convention of 1786 she would have done so, both the contracting parties having actually sanctioned the drafting of the Article mentioned. The following is to be found in the 2nd Art. of the treaty for the abolition of the slave trade in all places on the coast of Africa north of the Equator, made at Vienna between Portugal and Great Britain, on the 22nd January, 1815:—

“Article 2nd. His Royal Highness the Prince Regent of Portugal hereby agrees, and binds himself to adopt in concert with His Britannic Majesty, such measures as may best conduce to the effectual execution of the preceding engagement according to its true intent and meaning; and His Britannic Majesty engages in concert with His Royal Highness, to give such orders as may effectually prevent any interruption being given to the Portuguese ships, resorting to the actual dominions of the Crown of Portugal, or to the territories which *are claimed* in the said treaty of alliance as belonging to the Crown of Portugal to the southward of the Line, for the purpose of trading in slaves as aforesaid, during such period as the same may be permitted to be carried on by the laws of Portugal, and under the treaties subsisting between the two Crowns.”

This treaty, where it refers to that of the 19th February 1810, confirms what was stipulated in Art. X. of the latter.

The 2nd Art. of the additional convention to the treaty of the 22nd January, 1815, between Portugal and Great Britain, for the abolition of the slave trade, signed on the 28th July, 1817, runs thus:—

“Art. 2nd. The territories in which the traffic in slaves continues to be permitted to the subjects of His Most Faithful Majesty, under the treaty of the 22nd January, 1815, are the following:—

“1st. The territories possessed by the Crown of Portugal upon the coast of Africa to the south of the Equator, that is to say; upon the coast of Africa, the territory lying between Cape Delgado and the Bay of Lourenço Marques; and upon the western coast, all that which is situated from the 8th to the 18th degree of south latitude.

“2nd. Those territories on the coast of Africa to the south of the Equator over which His Most Faithful Majesty has declared that he *has retained* his rights, namely:

“The territories of Molembo and Cabinda upon the western coast of Africa, from 5° 12' to 8° south latitude.”

This convention being additional to the treaty of the 22nd January, 1815, is a still further confirmation of what had been stipulated in Art. X. of the treaty of the 19th February of 1810.

There is in the archives of the Ministry for Foreign Affairs the minute of a treaty for the suppression of the slave trade, negotiated in 1838 between Her Britannic Majesty's minister plenipotentiary in Lisbon, Lord Howard de Walden, and the Minister for Foreign Affairs, the Viscount de Sa da Bandeira, a treaty which was substituted by that of the 3rd July, 1842. In the minute referred to the following appears:

“Art. 7. It is however clearly understood and agreed upon between the two high contracting parties, that none

of the stipulations contained in this treaty shall be interpreted in such a manner as to embarrass or impede lawful commerce and navigation, and free intercourse between the different under-named dominions of the Portuguese Crown in Africa, that is to say :

“2nd. To the south of the Equator, the territories of the General Government of Angola, situated between the 8th and 18th degree.—‘Her Most Faithful Majesty however declares as still in existence the reservations already made in former treaties of the rights of Her Crown to the territories of Molembo and Cabinda, which extend from the 5th degree 12 minutes to the 8th degree of south latitude ; and it is understood that in no manner whatever does she renounce the rights which Her Crown may have to any portion of African territories not named in the present article.’ ”

This stipulation, concorded in by the two ministers, was nothing more than a repetition of what was stipulated in the treaty of 1810, confirmed and explained in that of 1815 and additional convention of 1817, and in no way altered anything that was fixed by common consent, which stipulation has never to this day been impaired, for such could only have been done by a new treaty.

In here giving this clause, which was agreed upon in 1838, we intended to demonstrate that at that time the English minister in Lisbon and therefore his Government, considered the stipulations of the treaties mentioned to be fully in force in the parts relating to the rights reserved by the Crown of Portugal over a determined part of the African coast, and that the same opinion was held by the British Government even some years after 1838 will be seen from the following extracts :

“On the 29th May, 1845, a convention between France and England was signed for the suppression of the slave trade ; in it was fixed the number of ships each of the two Powers were to maintain in West African waters for the

above purpose, from Cape Verd to 16° 30' south latitude, that is to the bay of 'Tigres,' south of Cape Negro. And it was also stipulated in Art. IV. that the naval commanders of the two nations should negotiate treaties for the suppression of the trade with the indigenous princes or chiefs of that part of the West Coast of Africa above described, according as might appear necessary to the said commanders; and that these treaties should have no other object than the suppression of the slave trade; that when made, force might be used for their execution; and in Art. VI. it was declared that if it was considered necessary for the purposes of the convention to occupy some of the points of the Coast of Africa, above named, such should not be done except by the common consent of the two high contracting parties."

The British Government having informed the Portuguese Government of this convention, the latter ordered the Baron de Moncorvo, Portuguese minister plenipotentiary in London, to communicate with the English Government, and to represent against such dispositions of the convention as might attack the rights of sovereignty of the Portuguese Crown over a very considerable part of the West Coast of Africa in which it either held direct sway, or over which it had reserved its rights. The said minister carried out this order by the note he addressed to Lord Aberdeen, Secretary of State for Foreign Affairs, under date of the 28th July of the same year.

In this note, after many important observations he says, "that the Portuguese Government hastens to make known to that of Her Britannic Majesty the interpretation it is disposed to give to the said convention in such part thereof as may relate to the Portuguese dominions; and which may be summed up in three paragraphs, the first being as follows: 'That the stipulations of Arts. IV. and VI. of the said convention do not refer to, neither are they understood as being applicable to the dominions of the Crown of Portugal

in Guinea and the coast of Mina (Africa), nor likewise to such territories as by Art. II. of the additional convention between Great Britain and Portugal of the 28th July, 1817, were positively recognised as possessed by the Crown of Portugal, neither also to those over which the above Art. II. declared the said Crown reserved its rights.' ”

Lord Aberdeen replied to the note of the Baron Moncorvo on the 20th September, and we here give the following extract from his dispatch, in which, in language the most courteous, and replete with amicable and conciliatory expressions, he renders full justice to the proceedings of the Portuguese Government; in it he says that :

“The undersigned considers it to be his first duty to declare, that no representation founded on that alliance and friendship which has happily for so long a time existed between Great Britain and Portugal, that may be made to the Government of Her Britannic Majesty, will fail to find him disposed to give it proper and favorable attention.”

“The promptitude with which Portugal became the first State to unite its efforts with those of Great Britain for the suppression of the slave trade, cannot be forgotten by England; and the Baron de Moncorvo is fully cognizant of those frequent occasions when the British Government has considered it its duty to recognize the fidelity and sincerity with which the Portuguese officials have executed the Treaty concluded (in 1842) between the two countries, which Treaty has been a source of sincere satisfaction to the British Government, and it would be but a poor recognition of such a line of conduct if the undersigned now hesitated in giving a full and frank explanation of those points in the convention recently signed between Great Britain and France, which drew the attention of the Portuguese Government to them.”

“With respect then to the operation of the joint squadrons of England and France upon the African Coast, including

that part of it which is under the dominion of the Portuguese Crown, or the reserved rights over which have been acknowledged to Portugal, the undersigned at once declares that the engagement by which Great Britain and France have bound themselves was not intended, and cannot be made to trench in the slightest degree upon the rights of Portugal."

On the 11th September, 1846, Lord Howard de Walden, British minister in Lisbon, wrote to Count Lavradio, Minister for Foreign Affairs, as follows :

"I have the honour to hand your Excellency the enclosed copy of a dispatch dated 30th April last, from Her Majesty's Vice-consul at Angola, relating the particulars of the detention by the local authorities of a ship belonging to an English factory at Ambriz, suspected of being engaged in the introduction of contraband into the province, and adding, that although the ship had been restored, and this was the first complaint of the kind made to him since his arrival at Angola, other vessels had formerly been very frequently detained on similar pretexts, and in some cases confiscated in the most summary manner."

Mr. Vice-consul Brand remarks, with every appearance of reason, "that although the Portuguese Government may have some authorities residing at those other ports of Angola with which a coasting trade is kept up with the capital of the province, who are authorised to grant the necessary clearances to vessels, it appeared not only unjust but impolitic that the absence of such documents should render the vessels liable to confiscation."

From all that has been explained in this chapter it will be seen that the interpretation given to the treaties of 1810, 1815, and 1817, so far as they relate to the rights reserved by the Crown of Portugal over a part of the West Coast of Africa, was the same with both the English and Portuguese Governments ; and an evident proof of this is to be found

in Lord Aberdeen's note of the 20th September, 1845, where it is declared that these reserved rights had been recognized. The note of Lord Howard of the 11th September 1846, in which the propriety of establishing Portuguese authorities in Ambriz and other ports of that coast is suggested, also shows that up to the date of that note the British Government had not altered its opinion in this matter.

CHAPTER III.

THE CONSTITUTIONAL CHARTER OF THE PORTUGUESE MONARCHY. THE TERRITORIES OF CABINDA AND MOLEMBO. THE CONSTITUTION OF 1838 AND THE BRITISH GOVERNMENT.

The 2nd Art. of the constitutional charter declares that the territory of Portugal comprehends:

“§ 1st. In Europe—the kingdom of Portugal.”

“§ 2nd. In Western Africa—Bissau and Cacheu; on the coast of Mina (Africa), the fort of St. John the Baptist of Ajudá, Angola, Benguella and its dependencies, *Cabinda* and *Molembo*, the islands of Cape Verd, and those of St. Thomas and Princes and their dependencies. . . .”

The 3rd Art. reads thus:

“The nation does not renounce the right it may have to any other portion of territory in these three parts of the world not included in the preceding Art.”

In Art. 75 § 8. It is declared that the executive power cannot make treaties of cession, or exchange of territory, of any kingdom or possession over which the kingdom has a right, without their being first approved by the general Cortes.

We will also here insert, for a purpose which will be

apparent afterwards, the clause in the constitution of the 4th April 1838 relating to these territories, which was in force during some years.

“Art. 2. The Portuguese territory comprehends: In Western Africa, Bissau and Cacheu, the fort of St. John the Baptist of Ajudá on the coast of Mina (Africa), Angola, Benguella and their dependencies, *Cabinda* and *Molembo*, the islands of Cape Verd, those of St. Thomas and Princes and their dependencies.”

“§ Sole. The nation does not renounce any other portions of territory to which it may have a right.”

“Art. 37. It shall be competent for the ‘Cortes. . . .’”

“§ 9. To approve, prior to their being ratified, treaties of alliance, subsidies, commerce, exchange, or cession of any portion of Portuguese territory, or of the right over the same.”

Let us now consider these dispositions and certain circumstances connected therewith. It was on the 29th of April, 1826, in Rio de Janeiro, that the King of Portugal, D. Pedro IV., Emperor of Brazil, decreed the constitutional charter of the Portuguese Monarchy, and Sir Charles Stuart, the then ambassador for Great Britain at that court, himself undertook to become the bearer of the constitutional charter to the Regency in Portugal, and he successfully endeavoured, when in Lisbon, to obtain the full execution of the orders from the new king of which he had been the bearer.

The Regency having ordered oath to be taken to the new fundamental law throughout the kingdom, a portion of the different army corps revolted and betook themselves to Spain, from whence, under the protection of the Government of that country, they invaded Portugal, and there kept up a civil war for some months.

It was then that the British Government, presided over by Mr. Canning, sent a fine division of English troops to Lisbon to uphold the new order of things.

This was followed by the occurrences of 1828, by the civil war, the establishment of a Regency in the Island of Terceira, the abdication of the Emperor of Brazil, the landing of the constitutional army in Portugal, and the civil war which terminated in 1834, with the complete triumph of the latter army, and the establishment of the representative system of government.

During the whole of this long period of eight years, through which this conflict between the defenders of liberal principles and those of absolute power raged, the Government of Great Britain was presided over by eminent statesmen; but these, as regarded what was then called the Portuguese Question, held opposite opinions, which were manifested by their acts. Some sent English troops to Lisbon to defend Portugal against the aggressions of Spain, and at the same time to give a moral support to the Constitutionalists; others, by the mere act of detaining those troops in Lisbon, gave a very efficient moral support to the enemies of the new institutions which fell in 1828; and these same enemies ordered, or allowed, British vessels of war to train their guns against the unarmed emigrants, who in vessels of their own freighting, had already entered the waters of the Island of Terceira where a flag was flying which was recognised by England and under which they sought to shelter themselves; some of these emigrants were killed by the shot thus fired. Finally there were other ministers who during the war which was waged in Portugal from 1832 to 1834, gave proof of sympathy with the defenders of the Liberal system.

And moreover during all this time not one of the British ministers ever raised the slightest doubt as to the validity of the Crown of Portugal's rights to the part of the west coast of Africa, described in the constitutional charter as forming a part of the Portuguese Monarchy.

The facts of Sir Charles Stuart being the bearer of the

constitutional charter, and of Mr. Canning's administration sending troops to Portugal for her defence, prove that the British Government made no objection to the Article which stated Cabinda and Molembo to be part of the Portuguese Monarchy. Neither the administration of the Duke of Wellington, nor that of which Lord Palmerston was a member as Minister for Foreign Affairs, ever indicated that their Government held an opinion contrary to that of the Portuguese Government, respecting the territories referred to.

And various facts which took place in 1836, and in subsequent years, furnish proofs of this.

In 1836 the political movement called "the Revolution of September," took place, in consequence of which the constitutional Cortes met and discussed a new constitution, which was sworn to by the Queen D. Maria II. on April 4, 1838, in which, in the same manner as in the constitutional charter, the territories of Cabinda and Molembo are described as forming part of the Portuguese Monarchy.

Thus the discussion of this measure, its unanimous adoption, its incorporation in the new constitution, and the publication of the latter, which was effected with the greatest solemnity, were all circumstances which failed to call forth the slightest representation, either from the British Minister in Lisbon himself, or from his Government.

And in order to thoroughly weigh the motive for this abstention, which could be none other than the consciousness of Portugal's undoubted right, it will be well to bear in mind that neither the English Minister in Lisbon, nor his Government, had any sympathy with the new order of things, but on the contrary it may be safely asserted that they were opposed to it, as was shown by the behaviour of the same Minister and the British squadron in the Tagus during the whole time the reactionary movement, which took place

in Belem in the beginning of November 1836 lasted, as different facts which have since transpired and various claims and demands made by the British upon the Portuguese Government, founded on more or less specious and plausible motives, also show; in the meanwhile neither Cabinda nor Molembo were ever the cause of any objection being raised by the said Government; neither even were they so during the ten succeeding years, as is proved, 1st, by the clause approved in 1838 inserted in the minute of the treaty for the suppression of the slave trade discussed and approved by Lord Howard de Walden, and by the author of this pamphlet; 2nd, by Lord Aberdeen's note before named, addressed to the Baron of Moncorvo in 1845; and 3rd, by the note of Lord Howard de Walden to Count Lavradio signed on the 11th September 1846.

The other Articles of the constitutional charter above given, show that the Portuguese Government could not cede the rights which Portugal possessed to the territories before named, without being authorised for such purpose by a special law passed in the Cortes, with all constitutional formalities; and they also show that by the legislation at present in force, the Government is compelled to consider the said territories as forming an integral part of the Portuguese Monarchy.

CHAPTER IV.

VARIOUS PARTICULARS RELATING TO PORTUGUESE DOMINION, TO THE SLAVE TRADE AND TO LAWFUL COMMERCE ON THE AFRICAN COAST. THE MEETING OF THE COLONIAL COUNCIL AT WHICH THE OCCUPATION OF AMBRIZ WAS PROPOSED.

The Portuguese Government was unable to give much attention to its African possessions for some years subsequent

to the convention of 1817, owing to different causes which required its energies to be directed to other quarters. The war in the River Plate was being carried on, and the Portuguese troops had occupied Montevideo. In 1817 an insurrection broke out in Pernambuco, which necessitated the employment of considerable forces for its subjection. In 1820 the great Liberal revolution, which in 1821 decided King D. João VI. to transfer the seat of the Portuguese Government from Rio de Janeiro to Lisbon, took place in Portugal. In 1822 Brazil, which was then declared an independent State, commenced war with the metropolis. In 1823 a counter revolution supplanted the Liberal institutions, and in 1824 the chiefs of that revolution made an attempt on the person of the king; but finally however, the royal authority prevailed. In 1825 the war between Brazil and Portugal was terminated, the independence of the new empire being acknowledged. D. João VI. died in 1826. On the 29th April of the same year his son and successor, King D. Pedro IV., decreed the constitutional charter of the Portuguese Monarchy at Rio de Janeiro; a long civil war followed, which, with but few quiet intervals, only terminated in 1834, the system of representative government obtaining a complete triumph. In the year 1836 there was a fresh revolution, which was followed by a civil war in 1837.

It was only in 1838 that the Portuguese Government found itself able to give more attention to colonial matters. In this year Vice-Admiral Antonio Manuel de Noronha, who from his probity merited the full confidence of the Government, was named Governor-General of Angola. He received instructions from the then Minister for Marine and Colonies, the author of the present memorial, dated the 4th October of that year, by which he was ordered to put the decree of the 10th December, 1836—abolishing the slave trade—into rigorous execution, and that to prevent this

trade which was being put down in Loanda and Benguella from becoming transferred to the ports of that part of the coast which both by the Constitution of the Monarchy and by treaties belong to Portugal, he was to effect the occupation of the ports of Ambriz, of the river Zayre (sic), Cabinda and Molembo, as well as that of Mossamedes, where he was to appoint Portuguese authorities who were to be held responsible for the suppression of the trade until such time as it could be finally abolished. The same Governor-General was also ordered to permit, and to protect the commerce of foreign nations in the above ports, when they were occupied.

Private circumstances led to the return of the Vice-Admiral to Europe, and only one of the orders previously given to him was afterwards carried out, viz., the one relating to the occupation of Mossamedes, in which place there is now an European town, and in whose territory the sugar-cane and cotton is cultivated, while the slave trade, having been effectually suppressed at Loanda and Benguella, became concentrated in the other mentioned ports. It is very probable that it would have disappeared from thence also, had the occupation which was determined on seventeen years ago been carried out.

On the 23rd August 1843, Captain J. Foot, commander of the naval station, while at Loanda, wrote to the President of the Council of Angola as follows :—

“I have the honour to inform your Excellency that I was positively informed when in Ambriz last week, that there were three or four barracoons full of slaves, five miles towards the interior of that bay, awaiting vessels to embark them; that some Portuguese of this city reside there and buy slaves, and that the goods with which they are purchased are transported in boats from this city to Ambriz direct to the barracoons, so that the only effect to be observed in the province, as regards this diabolical trade, since the signing of the new treaty between our respective Govern-

ments is, that the slave traders have left the immediate vicinity of Ambriz, and have gone over to neighbouring ports; also that the means for carrying on this atrocious trade are furnished from St. Paul de Loanda. I do not venture an opinion on this lamentable state of things; the facts speak for themselves."

To this despatch the Government Council replied on the 24th of said month :

" Assuring your Excellency, however, that the goods for the said trade, if there really are any in existence at the above-named place, do not go from this city, but are imported there direct by English, American, and other vessels which are not Portuguese; that on the contrary it frequently happens that such goods are brought from thence to this port."

Another despatch, also from the said Council to the above commander, dated 29th August, says:—"As regards the second part of your despatch, relating to the exportation of goods from this place to Ambriz, we have to state that in our last despatch on the subject we then wished, and now still desire to acquaint you, that if the slave trade is so carried on there, it is principally by means of goods imported direct from England, France, and America, though we do not pretend to deny that some such may be exported from here clandestinely, and even legitimately, seeing that no prohibition whatever is placed on such shipments."

On the 22nd March, 1847, the Minister for Marine at the request of the British Government, ordered the commander of the naval station at Angola, to promptly destroy any barracoons existing on the coast of Africa, that the commander of the English cruisers might officially point out as intended to be used for the purposes of the slave trade, provided that the persons intrusted with this duty, who must in all cases be Portuguese, should find slaves or articles in such barracoons as should clearly denote the existence of that trade.

On the 1st July following, the same Minister repeated this order, and also determined that the slaves found in such barracoons should be promptly set at liberty.

In 1848, at the request of the British commodore of the respective naval stations, the commander of the Portuguese naval station at Angola went to Ambriz, where he landed and burnt various barracoons, in which he found fetters and other articles used in the slave trade: he afterwards burnt sundry other barracoons in different parts of the coast, and in one of these, two miles S. E. of Ambriz, slaves were found in chains who were conducted on board the Portuguese ships to be set at liberty; in other barracoons further inland, pipes of water, raised sleeping decks, and further indications of the trade were found, the slaves having however been removed from there before the arrival of the Portuguese people.

On the 25th July of the same year, in consequence of a Brazilian steamer having embarked eight hundred slaves in Mayumba (west coast of Africa), the British Minister in Lisbon told the Portuguese Government that the English squadron would gladly co-operate in any measures it might be thought necessary to take, either for the purpose of destroying the depôts of slaves existing in Ambriz, or for preventing their re-establishment there afterwards.

The Governor-General of Angola informed the Minister for Marine and Colonies on the 19th December 1849, that "he had extra officially heard that the negroes of Ambriz had, on the 25th of the past month, burnt the stores belonging to Hatton and Cookson of Liverpool, whose manager was a British subject named A. Perry who was engaged in lawful trade, and that by the said fire a large quantity of ivory and cloth goods had been lost, the value of which was estimated at £3,000."

On the 29th June, 1850, the same Governor-General ad

vised that in consequence of those occurrences, Portuguese and English war vessels had gone to Ambriz, and that the latter vessels had obliged the chiefs to compensate the injured firm, a certain number of vessels belonging to the firm being exempted from payment of landing dues, which are there called "*costumes*"; and that the commander of the Portuguese naval station, wishing to secure the property of the Portuguese subjects established and trading lawfully there, had taken the headmen or chiefs of the petty kings of Ambriz, to declare on behalf of these latter that they considered themselves vassals of Her Majesty the Queen, and that they would continue to behave towards the Portuguese as hitherto.

The Minister for Foreign Affairs in writing to his colleague for the Marine and Colonies, on the 23rd February 1850, said that Her Britannic Majesty's Consul at Lisbon had informed him of the contents of a despatch from the British Vice-Consul at Loanda, which gave a minute account of the burning of two barracoons at Ambriz, with their goods belonging to a Liverpool house, whose loss was estimated at £10,000, and whose barracoons had been sanctioned by the petty kings of the country; that on three English war vessels proceeding there, the petty kings were threatened with a blockade, and finally, arrangements were made for the admission of ten cargoes of merchandise consigned to the above firm, free of duties, which duties according to the despatch of the said Consul would not, so far as he could ascertain, exceed £200; this arrangement although much below the estimated loss had been readily accepted by the said firm, and a formal convention, to which three of the petty kings, the commander of the British forces, and the principals of the English houses established there were parties, was signed: the despatch adds, that he the Vice-Consul was perfectly astonished at what had occurred, as it was an attempt against the rights of the Portuguese Crown.

In a letter, from Captain E. Wilmot commander of the southern division of the English naval station on the African coast, dated river Congo 19th January 1853, and addressed to Lord Palmerston, Secretary of State for Foreign Affairs, which is in print, and in which he treats of the present state of the slave trade, making some observations regarding the conclusion of treaties with the chiefs of the African coasts for the suppression of the slave trade, he says, "That these chiefs will sign the paper when it is to their interest to do so, but not otherwise, unless force is used, and all the coast line strictly blockaded in the full sense of the word; that a strict blockade would effect the object, because the negroes of the country are accustomed to European goods and manufactures, and cannot live without them: that the European merchants who have their agents on this coast would suffer, but that it is they who indirectly maintain the slave trade: that the American like the Englishman, supplies all the goods a negro chief wants when he wishes to sell his slaves; and that although in Ambriz, Loango, and one or two other places, a large trade is carried on in ivory, gum, wax, oxchella, etc., the fact must nevertheless not be disguised that the white man, established in this country, is in favour of the trade, and does not attempt to open his mouth, even in cases where slaves are shipped under his eyes; that in fact, the more active the slave trade is, the greater profit he derives from it, because the money given in exchange for slaves returns to his factory in exchange for all kinds of goods."

He further says,—“That the American flag is used for the vilest of purposes:—That vessels arrive on the coast of Africa from Havana, Baltimore, New Orleans, etc., with the American flag, American papers, American captains and crews, and that the number of those bringing cargo is very small; that they are intended for the slave trade, and make no secret of this fact when they arrive on the coast;

that they have everything ready for receiving slaves, even to the carrying of planking for the stowage of slaves on board; that this is plainly shown by their register; that the English cruisers have no authority to detain or search such vessels although they may know their character, because they tell the English officers that they are going to be sold, and even name the price of sale; and that notwithstanding all this, the cruisers can do nothing so long as the American flag flies from their masts, and so long as the American papers they present are in proper order; that everything remains thus until the last moment; that when they think the time has arrived for changing owners, the cruisers being out of sight and not likely to interfere with their operations, the contract is made, the new captain and crew go on board, the American flag is lowered and destroyed along with the papers, and the vessel ceases to enjoy American protection being left perhaps without any flag whatever; that she makes sail with her living freight trusting to chance to reach the place to which the slaves are consigned, in safety; that the American captain laughs at the cruisers, and says they dare not touch him."

And Captain Wilmot exclaims with reason, "Here is a slave ship within range of our guns, but we cannot detain her, neither can we even open her scuttles."

He further continues: "that under this flag, the slave trade is still carried on on a large scale along this coast, and that it will continue thus until the American Government finds it convenient to take up the cause in the same spirit and with the same activity that England has done, and give British cruisers permission to detain suspected vessels and send them to the United States."

He further says: "that the Americans should withdraw their cruisers altogether, and permit us to act in their stead, relying on British honour." And he adds, "that the officers

selected to command the American cruisers are men belonging to the southern states of the Union, who are not adverse to slavery.”

Captain Wilmot, speaking particularly of that part of the coast stretching from Cape Lopo Gonçalves to Mossamedes, that is from 36 minutes to 15° 12' south latitude, says: “That in 1853 there were only three small brigs and a steamer to watch this line of coast, which is nearly a thousand miles long, against the slave trade, when nine vessels, of which four should be steamers, are required for the service. And he says finally, that if the number of ships of the squadron were to be reduced, all the African coast would be frequented by slavers, which could not be prevented, because so long as the remotest possibility of carrying on the trade existed the white man would be found combining with the black man, to render all our efforts futile.”

We will now turn to another class of occurrences. Since the end of the year 1852, if not indeed previously, some commanders of English ships of war endeavoured to make treaties with the petty kings of Ambriz, Cabinda and other places on the coast over which the Portuguese Crown has rights that have been recognised by England. Such attempts laboriously repeated were however fruitless so far as regards the petty kings.

On the 24th January 1854 Captain Wilmot, of whom we spoke above, went to Cabinda, and communicated with Mambuco, principal chief of the port and delegate there of the king, who resides in the interior of the country, and endeavoured to get the said Mambuco and other chiefs to sign a treaty for the suppression of the slave trade, and for other purposes. The chiefs refused to sign in spite of the offers and threats made to them. Captain Wilmot then retired, but returned there on the following 10th February, when he appears to have succeeded in inducing Mambuco, who could neither read nor write, to make a cross on

the paper which the captain called a treaty; after this he withdrew.

In the course of a little time, the king of Cabinda, the lawful Mambuco, the governor of Porto Rico, a settlement situated on the bay of Cabinda, and the other chiefs sent some of their people to Loanda with a message to the Governor-General, informing him of the above occurrence, and declaring that they and their people only recognised the sovereignty of the Crown of Portugal, as their ancestors had done.

These also reported that Captain Wilmot had succeeded in getting Mambuco to make a cross on the paper presented to him, after being made drunk with brandy. This however was afterwards denied by the Captain.

The official bulletin of Angola of the 5th March 1853 refers to these events.

The Governor-General wrote to the English naval commander, complaining that such invasive acts should have been practised against the Crown of Portugal's rights. He also sent Portuguese men-of-war to the ports of Ambriz and Cabinda, where on their arrival they found the Portuguese flag flying, it having been hoisted by the petty kings.

As regards the so-called treaty, we shall speak of it further on.

On the 18th April 1853, the Admiral of the English naval station on the west coast of Africa, wrote from Loanda to the Admiralty as follows, "It is said that when the '*Silenus*' embarked six hundred slaves at Ambriz in the month of February last, a launch belonging to Mr. Felix Walker, a British subject residing there as the agent of Messrs. Cookson and Hatton of Liverpool, was one of the vessels then employed in embarking the slaves on that vessel."

It is not only on the African seaboard belonging to Portugal that the slave trade has continued up to the present time; the

same thing has happened in many other places, including those over which the vigilance of the British authorities has been most constant, and where it could be most easily exercised.

Some cases extracted from the correspondence relative to the slave trade, presented to Parliament by the British Government in 1854, will suffice to prove this.

In the volume Class A, there is a despatch from the Judge-Commissioner of the Sierra Leone mixed Commission dated the 12th January 1854 addressed to the Earl of Clarendon, in which he says :

“That two slavers had been captured in 1853 on the Pongo river ; that various slave traders had been expelled from the port of Sherbro during the same year, who had previously been driven away from the Gallinhas river for a similar reason.”

Even in this year (1855) the English war vessel “*Ferret*” captured a brig which was ready to embark slaves on the Pongo river ; and also on the west coast of Sierra Leone, five miles from Freetown its capital, more than forty slaves intended for the trade were captured.

It ought to be known that the Pongo river is only five or six hours’ sail from the Idols islands, and the Gallinhas river a little more than this from the Bananas islands ; that all these islands are dependencies of Sierra Leone, and that the last of these rivers is considered by some English writers as belonging to the above colony. Sherbro is distant a little more than one degree of latitude from Sierra Leone.

Now what the British functionaries said in 1853 about the slave trade carried on in the Pongo and Gallinhas rivers tallies with what was said by other English functionaries about the same rivers in 1838, as may be seen from the correspondence presented to Parliament in 1839 : so that the slave trade in these ports, which are close to Sierra

Leone, was probably being carried on in 1855 just as it had been seventeen years previously.

The same correspondence also shows that the trade has continued on the coast of Mina (Africa). In the volume above cited there is a despatch from the English Consul at the port of Lagoa (or Lagos in the English maps), addressed to Lord Clarendon, dated 30th July 1853, which states that three vessels had sailed from the port of Aghwey in the previous month of June, with 350 slaves each.

On the 6th September of the same year, this same Consul states that in the preceding month of May, another vessel had left the above port of Aghwey with 654 slaves.

The English Consul at Fernando Po, in a despatch addressed to Lord Clarendon dated 29th March 1853, says that a schooner intended for the trade had been captured in New Calabar; and on the 6th April following, he reports that an American barque had shipped a cargo of slaves near Popo.

It should be borne in mind that England has the fortress of Cape Corso, as well as many other forts, on this coast; that she effectively holds sway over the island of Fernando Po; and that she really exercises a sort of protectorate over the chiefs along the coast; that there is a large number of English traders there who deal principally in palm oil, and that it is frequented by numerous English cruisers, whose commanders have obtained the signatures of the dominant chiefs (made by cross), on papers, which these commanders call treaties, and by which the said chiefs promise to abolish the slave trade. That in spite of all these circumstances the trade has continued to be carried on there.

The above correspondence also states that the trade has been continued more or less actively on the coast situated to the north of Loanda, and that there were factories in Ambriz for the purposes of the trade.

From the foregoing, and also from what has been omitted

for brevity's sake, it results : that the slave trade has been carried on with more or less activity during late years, throughout a large part of the West Coast of Africa ; that in places near the colony of Sierra Leone it has continued, and that the same has happened with the English establishments on the Coast of Mina (Africa), from Cape Corso to Fernando Po, and also in Ambriz and some points of the coast south of Loanda ; and that it has been so carried on in spite of the cruisers, in spite of the treaties made with the negro kings, and in spite of the progress which lawful commerce has made along the whole extent of coast.

It is also certain that there appears to have been no trade carried on of late years in the ports of the coast where there are Portuguese or English authorities.

This is the truth. And if there are no grounds for recriminations against the English Government because of the trade carried on in the Pongo river at Sherbro, and in the Gallinhas river, places situated near Sierra Leone, neither also are there any for recriminations against the Portuguese Government because the same trade has been carried on in Ambriz, and some parts of the Angola coast.

The deduction from all this is that so long as the markets of the Spanish Antilles exist, they must be supplied with African slaves, and that so long as these slaves fetch high prices there, it will be as impossible to put down this contraband as it has been to put down that which was, and is still carried on between France and England, in spite of the rigorous system of fiscalisation, and the numerical strength of the preventive officers in both the countries named.

Therefore the only means of putting a stop to the trade on the West Coast of Africa, consists in the closing of the Cuban and Porto Rico markets. And the British Government would be doing a very humane act as well as an economical one, if it applied the money which it now spends

and probably will spend on the squadrons employed against slavers, in effecting the closing of those markets by Spain.

In the presence of these facts, the Colonial Council in session held on the 5th April 1853 told the Government that :

“One of the duties imposed on this Council by its foundation decree was that of carefully observing that the laws prohibiting the slave trade in the Portuguese colonies were executed.”

“The Council is informed that among the ports near Loanda, Ambriz is the one where the trade is carried on to the greatest extent. There are no Portuguese authorities there to suppress it, and therefore the agents of this contraband have collected in that port, and established their slave depôts at two or three leagues distance towards the interior, in order thus to evade the vigilance of the cruisers. It is certainly one of the duties of the Portuguese Government to use every effort to suppress this infamous trade, both because the treaty of the 3rd July 1842, entered into with Great Britain, and also the execution of our own laws now in force, demand it.”

In the session of the 20th October 1854, the Council insisted that such occupation should be proceeded with forthwith, and recommended that the Government should in its instructions order the slave trade at that port to be treated with the utmost severity, as it ought to be put down by every possible means.

The Council in its sessions both of the 5th April 1853 and 20th October 1854, proposed that full protection should be given to the trade of all nations at the port of Ambriz, by the Portuguese authorities.

It cannot therefore be doubted that one of the most effectual means for suppressing the trade is that of appointing authorities, aided by a certain police force, in the ports where the trade is carried on, the same authorities

being held responsible for any lack of vigilance. The advantages to be derived from this system would be the knowledge such authorities would acquire of the country; their permanent character, which would prevent traders from establishing themselves in their respective localities; negro slaves from being kept for embarkation in depôts situated at considerable distance from the coast; and ships from receiving cargoes of slaves because, as local authorities they would have the right of police in the ports; and thus ships carrying the American flag could be examined and even arrested if they came within the provisions of the Decree of the 10th December 1836, which is not the case now, because the Portuguese cruisers refrain from visiting such vessels in the ports and seas whose dominion Portugal claims, but whose right the English Government since the year 1846, attempts to impeach.

Thus; while the cruisers only occasionally appear in those ports and cannot stop the slave trade carried on by American vessels; while the above slaves, collected in those ports for shipment, are quickly removed into the interior of the country on the appearance of any cruiser; while the chiefs with whom English commanders have made arrangements for prohibiting the trade never carry them out when they can with impunity gain by their infraction; the same would not occur, were vigilant and active authorities stationed in the said ports, responsible for any shipment of slaves that might be effected there. It will only be by this means that the trade will be suppressed in certain localities, so long as the markets of the Antilles remain unclosed. The establishment of Portuguese authorities in African ports where the trade has been carried on for so long, and where it is even now more or less engaged in, will have the additional advantage of protecting the legitimate commerce of all nations who may trade with those ports. And the growth of this commerce will be one of the most effectual

measures for suppressing the trade, as by its means the blacks will be able to obtain European goods to which they are accustomed, and with which they now supply themselves in exchange for slaves.

Having these facts in view, the Portuguese Government has of late years adopted various measures for compassing both these ends simultaneously, one of such measures being the occupation of some of the ports of the colonies which were not garrisoned, the principal ones of which would be permanently opened to the trade of all nations. The port of Ambriz was thus treated.

CHAPTER V.

THE QUESTION RAISED BY THE ENGLISH GOVERNMENT IN 1846 AS TO THE INTERPRETATION OF THE TREATIES. EXAMINATION OF THIS QUESTION.

From what is set forth in the preceding chapter, it will be seen that the British Government during the long period of more than thirty-six years which intervened between the month of February 1810, and November 1847, did not differ with the Portuguese Government in considering the territories of Cabinda and Molembo as subject by right to the sovereignty of the Crown of Portugal.

We will now give by dates, extracts from the notes of the British Government, which contain the reasons advanced in support of the new interpretation it endeavoured to give to the treaties, and from whence it deduces the fact that it had not recognized the rights of the Crown of Portugal to the territories on the West Coast of Africa situated between 5° 12' and the 8th degree south latitude ;

and we will endeavour to prove that its arguments cannot be maintained.

On the 4th November 1846, Mr. Southern, who was then Chargé d'Affaires for England at Lisbon, in a note addressed to the Minister for Foreign Affairs, respecting a Brazilian vessel fully equipped for the slave trade, which had been captured by the Portuguese corvette of war "*Uranea*" on February of the said year, she having been found twenty-five miles to the north of Ambriz, and which on being taken to Loanda was there declared a lawful prize by the respective Portuguese tribunals in consequence of her having been found engaged in the slave trade within Portuguese jurisdiction, in contravention of the Portuguese laws, says as follows:—

"As regards the 2nd Art. of the convention dated 28th July 1817, supplemental to the treaty of the 22nd January 1815, between Great Britain and Portugal, for the prevention of illicit trading in slaves, your Excellency will observe that as regards the West Coast of Africa the territories described as possessed by the Crown of Portugal extend from the 8th to the 18th degree of south latitude. But that with respect to that part of the coast situated between the 5th degree 12 minutes and the 8th degree of south latitude, namely the territory of Molembo and Cabinda, His Most Faithful Majesty declared that he reserved his rights over it.

"Therefore it will be seen, that while the rights of Portugal to the exclusive sovereignty and jurisdiction from the 8th to the 18th degree south latitude were fully recognised by the British Government, her rights from 5° 12' to the 8th degree south latitude were not so recognised," and he adds: "as the Brazilian vessel was captured twenty-five miles to the north of the 8th degree south latitude and condemned as being found in Portuguese waters, I have instructions to inform your Excellency that if an English vessel happens to be captured by a Portuguese cruiser under similar circum-

stances, Her (Britannic) Majesty's Government will not allow such vessel to be adjudicated on by a Portuguese tribunal, but will request that she may be treated in accordance with the stipulations of the 1842 treaty."

He further adds, "that he had instructions to make this explanation to His Most Faithful Majesty's Government, it being based on the fear that if this decision, which involves a claim to exclusive territorial possession, should pass unnoticed, it might affect the right of unrestricted intercourse with that part of the West Coast of Africa situated between the 5th degree 12 minutes and the 8th degree south latitude, which it is important to Her Majesty's Government to maintain in the interests of commerce."

A note addressed by Lord Palmerston, Her Britannic Majesty's Minister for Foreign Affairs, to the Baron de Moncorvo, Minister Plenipotentiary for Portugal in London, dated the 30th November 1846, contains the following:

"The British Commissioners (members of the mixed Commission at Loanda) have expressed their fear that if Portugal forced the rights of sovereignty over this territory (from 5° 12' to the 8th degree south latitude), such would interfere with the communication between the British merchants and those nations with whom they now carry on their trade without payment of any duties to the Portuguese Government."

The sentence of the Portuguese court of Loanda, (on the brig "*Union*," captured by a Portuguese cruiser in 7° 36' south latitude, and declared a lawful prize as a slaver), involves a claim to exclusive territorial possession that may prejudice the right, which it is important to Her Majesty's Government to maintain, of unrestricted intercourse with that part of the coast of western Africa extending between 5° 12' and the 8th degree south latitude.

According to the treaty of 1817, Molembo is the extreme northern point to which the Portuguese claim to sovereignty

not actually recognised by Great Britain, but over which Portugal declares she reserves her right, extends, and Ambriz is the extreme northern point recognised by Great Britain.

A note from Sir Hamilton Seymour, Her Britannic Majesty's Minister Plenipotentiary at Lisbon, dated 9th November 1850, and addressed to the Minister for Foreign Affairs, contains the following:

"As regards the situation of Ambriz, considerable ignorance seems to have existed in 1817 and even at a much later period, and it appears from a document I have before me that it was only towards the end of 1847 that Lord Palmerston learned, through Her Majesty's Commissioners at Loanda, the fact that Ambriz was situated to the north of that part of the coast the sovereignty over which was admitted by treaty as belonging to the Portuguese Crown. (*)

It is therefore manifest that an expression used by a Minister of Her Majesty in his correspondence with a foreign mission, and which must have been so used in consequence of a geographical error, cannot be effectively advanced, either against the terms of the treaty, or against the same Minister's language after his discovery of the error alluded to.

The English Government having in 1850 made various complaints relative to the slave trade, which was said to have increased in Portuguese Africa, the Minister for Foreign Affairs, Count Tojal, informed the British Minister Plenipotentiary at Lisbon, that the Minister for Marine and Colonies was about to take decisive measures for suppressing that trade, the most efficient of which, as regarded Angola being the fortification of Ambriz. In reply to this com-

(*) This alleged ignorance did not exist in 1817 as may be seen from the old "Roteiros" (Guide Books), for example that of Pimentel, in which the port of Ambriz is placed in 7 degrees and $\frac{1}{2}$ south latitude, and also in modern ones, like Purdy's Sailing Directory where the same port is marked as situated in 7° 52' south latitude.

munication Lord Palmerston sent a despatch to the English representative at Lisbon on the 11th October of the same year, which was brought to the notice of the Portuguese Government, in which he says "that the port of Ambriz was not recognised by Great Britain as within Portuguese territory and that as regards adopting the idea of fortifying a place not included in Portuguese territory, as a measure for suppressing the slave trade carried on in that territory, it was a proposal that would have to receive serious consideration."

The following is to be found in a note addressed by Lord Clarendon, Her Britannic Majesty's Minister for Foreign Affairs, to Count Lavradio, Minister Plenipotentiary for Portugal in London, on the 26th November 1853: "It is therefore both manifest and notorious, that the African tribes who inhabit the coast line claimed by Portugal between 5° 12' and the 8th degree south latitude, are in reality independent, and that the right acquired by Portugal from priority of discovery at the end of the fifteenth century, has for a long time been suffered to lapse owing to the Portuguese Government not having occupied the country so discovered."

"In the presence of these facts, the undersigned must repeat the declaration of Her Majesty's Government that the interests of commerce imperatively required it to maintain the right of unrestricted intercourse with that part of the coast of western Africa extending between 5° 12' and the 8th degree south latitude."

We will now proceed to discuss the new interpretation of the treaties, and see what are the results to be deduced from them, both in their letter and spirit.

The new interpretation given to the treaties was adopted by the British Government without being preceded by any preliminary discussion with the Portuguese Government such as justice would have demanded in a similar case,

for it cannot be conceded that one of the contracting parties has the right individually, and without the concurrence of the other, to interpret the stipulations of such treaties; if such were the case these instruments would become perfectly useless, or useful only to the strongest party.

If before proceeding in this way, the British Government had frankly and deliberately discussed the question with the Portuguese Government, it would have found that the new interpretation sought to be given it could not be justifiably maintained, because it was contradictory to the British Government's own acts; and it would also have found that the Portuguese Government neither could nor can accept such an interpretation, as it is diametrically opposed to the letter and spirit of the articles of the Treaty of Alliance of 1810, and to the text of the additional convention of 1817, as well as to an article of the constitutional charter of the Portuguese Monarchy, and also to the manner in which the stipulations of the convention relative to the coast of Africa in question, were during so long a time understood.

We will now more particularly examine that part of Lord Clarendon's note to Count Lavradio, of the 26th November 1853, in which he says, referring to the part of the West Coast of Africa included between 5° 12' and the 8th degree south latitude, "that the rights which Portugal acquired by priority of discovery at the end of the fifteenth century, have been *suffered to lapse* owing to the Portuguese Government having failed to occupy the countries thus discovered."

As the history of the Portuguese Colonies in this part of Africa is little known, there being only a few books in existence which contain any information on the subject, it is not surprising that the noble Earl should have had no knowledge of the existence of facts contrary to his assertion, facts which prove that Portugal never allowed the rights she acquired by priority of discovery to that part of the

African coast to lapse; as may be seen from the contents of Chapter I. of this memorial, which it would therefore be superfluous to refer to here.

It has already been shown that the obligation contracted in Article X. of the Treaty of Alliance of the 22nd February 1810 with England, respecting the territories of Cabinda and Molembo, was identical with that contracted by France with Portugal in the convention of the 30th January 1786, that is, the recognition of the rights of Portugal to Cabinda and other parts of the sea coast to the south, as forming part of the kingdom of Angola.

Let us now examine the stipulations of the Convention of 28th July 1817, which throw a light on the corresponding stipulations of the Treaties of 1810 and 1815. In the Treaties of 1810, 1815 and 1817, Portugal declared she reserved her rights over a certain part of the African seaboard.

Great Britain accepted this declaration, and as her ambassador did not question it, and the treaty was ratified by the British Government, it is a natural consequence that this Government approved the reservation; and in approving it recognised the rights of the Crown of Portugal, as we now proceed to show.

The terms in which this reservation is expressed in the last of the above treaties, are as follows: "The territories over which His Most Faithful Majesty declared he reserved his rights; viz., the territories of Molembo and Cabinda:" and in the English text thus: "Those territories over which His Most Faithful Majesty has retained his rights, namely Molembo and Cabinda."

In order to be fully able to understand the end which the Portuguese Government had in view in making this declaration, which was accepted by the English Government, and what the results, deducible by sound and natural logic from the declaration and its acceptance were, we must

examine the meaning in the English language, of the verb "to retain," and in the Portuguese, the verb "reservar."

On opening a Webster's Dictionary we find that the equivalent of the verb "to retain," is, "to hold or keep in possession"—"not to lose or part with"—"to keep back": that it is derived from the Latin verb "retineo," and that it corresponds to the French verb "retenir," to the Italian "retinere," and to the Spanish "retener."

The meaning of this verb in Portuguese, according to Vicira's Dictionary, is as follows: "reter" (*to retain*), "guardar" (*to keep*), "conservar" (*to conserve*), "preservar" (*to preserve*),—"reservar uma cousa que pertencia já a quem a reserva"—(*to retain anything already belonging to the person retaining it*).

And note well that in the Portuguese text of the treaty of 1817, the verb—"to retain"—is translated by the verb—"reservar,"—and that the phrases—"to hold or keep in possession"—and—"not to lose or part with,"—are exactly parallel with—"reservar uma cousa,"—etc., as above given.

Moreover, when any party to (or grantor of) a public instrument declares that he reserves his rights over a determined thing, and the other party (or grantee) not only does not dispute such right, but signs the instrument itself, it is evident he recognises the right declared by the other as belonging to him, and it is therefore clear that whatever was stipulated in the said instrument could not with any amount of justice be disputed thirty-six years after its date, for if such a doctrine were admitted, there would be no stipulation that could be considered sure, because the most powerful of the contracting parties would always find means of giving such an interpretation to the most solemn of acts as seemed best suited to his own interests.

Further, this declaration—this reservation,—which was stipulated in three successive treaties made within seven years, certainly had some signification to the contracting

parties, else it would have been useless, and as such unfit to be inserted in these treaties. Now this signification is to be found in the words used in the Treaty of 1817, which are the verb—"reservar"—in the Portuguese text, and the verb—"to retain"—in the English text.

Thus it is evident that the ancient right, and therefore one not conferred by the treaty, but simply recorded in it,—that of retaining, of preserving, of not losing (—"not to lose or part with"—) which the Crown of Portugal had over that part of the African coast, was recognised by England in the treaty; and this stipulation, from the fact of its having been made and recognised, precluded England from afterwards raising any question respecting that coast. The Portuguese Government never doubted that this was the signification conveyed to the British Government by the above stipulation of the treaty.

CHAPTER VI.

THE OBJECTIONS OF THE BRITISH GOVERNMENT.

The motives which might justify England in representing against the occupation of the port of Ambriz by an armed Portuguese force, appear to be confined to three kinds.

1st. To an attack on any sovereign rights that Great Britain may consider she has to the territory of Ambriz.

2nd. To any injuries a Portuguese occupation might inflict on the interests of English subjects residing there.

3rd. To facilities offered for the increase of the slave trade, which has never ceased to be carried on in that port.

As regards the first: England has never up to the present time claimed any rights of sovereignty over the said territory, neither could she do so in the face of the treaties she celebrated with Portugal in 1810, 1815, and 1817.

As regards the second: the English Government has de-

clared to His Most Faithful Majesty's Government that it wishes to maintain "a free and unrestricted intercourse," between British subjects and that part of the coast.

It is therefore necessary to inquire the true state of relationship existing between English traders, and other Europeans and Americans in the port of Ambriz; and also as to the measures taken by the Portuguese authorities in the act of occupation, and the further ones that must be taken for the future regulation of this subject.

Persons trading with the port of Ambriz have hitherto been subject to various extortions and charges, among them to the following:

1st. They have been obliged to make presents to the petty kings or chief negroes of the country, the amounts of which depended on the caprice of these petty kings.

2nd. They have had to pay duties, there called "*Costumes*," for every vessel discharging goods in the said port, the amount of these "*Costumes*" also depending on the caprice of the petty kings.

3rd. They paid tribute extraordinary to these petty kings whenever pretexts presented themselves, one of the most frequent being the entrance of any ship of war into the port of Ambriz.

4th. The petty kings would not allow them to construct any kind of dwelling, other than huts made of boards, straw and mats.

5th. They were subject to robberies, sometimes committed by order of the petty kings, as happened recently.

6th. They at times suffered personal violence, as well as other annoyances of various kinds.

7th. They were obliged to employ the chiefs of the country or their dependents, in any dealings of sale or purchase they had with the negroes of the interior, not being permitted to trade direct with the latter.

These negroes from the interior who brought down goods

for sale to the factors at Ambriz, were obliged to halt at particular spots distant from the port, and there deliver the goods to certain negro subjects of the chiefs, a species of brokers called in the country "*Linguisteres*," for these to sell the same to the factors.

The amount of goods of different kinds to be presented to the chiefs and their headmen for permission to trade, was also determined there, and was generally equal to five or six per cent. of the value of the goods sold; and when the transaction was in slaves the value of these presents or dash rose to eight or nine per cent. But this was not all; for when the chiefs required tribute extraordinary, which the factors declined to pay, these were accused of some imaginary crime, which was called "*Caballa*," and fines were exacted for these supposed crimes; and if these fines were not paid, the natives assembled to the number of hundreds, and with great shouting and threats of firing the factories, finally obtained what they demanded, the value of the fines sometimes amounting to two hundred milreis (about £44).

Such was the mode in which lawful trade was carried on in Ambriz between the Europeans and the natives, and this certainly cannot be called "free and unrestricted intercourse." Such a thing did not exist there.

It appears that at the time the occupation of Ambriz was effected by the Portuguese forces, there were eleven factories there, of which six were Portuguese, two English, two American, and one French. That one of the Portuguese was the most important of all; after this the two American ones combined, and lastly the English combined.

The Governor-General of Angola, in the act of occupation of Ambriz, offered soldiers to the foreign traders, English and others, to protect their factories against attacks, and attempts at incendiarism by the negroes of the country, who had actually burnt some of the Portuguese factories; and these traders accepted the Governor's offer.

The last-named official published a warrant there dated the 26th May 1855, which may be found in the Official Bulletin of Angola, of the 2nd June, and which says:—"Art. 1st. Ambriz will be considered as a free port for the foreign commerce of all nations, during one year from the 16th of May of the current year 1855." During the year referred to, merchandise imported and goods shipped from there in foreign vessels, shall pay no duties of any kind, neither shall the foreign vessels carrying such merchandise and goods, be subject to any impost whatever.

And the Portuguese Government, being desirous of giving the traders of all nations having relations with that port, sufficient time to act according to their several interests, ordered the Governor-General to notify in the Official Bulletin of that colony, that the term of one year, after the expiry of which, imports and exports might be subject to certain duties, was to be reckoned from the date on which such resolution should be published, in Lisbon, in the Government Gazette. ("Diario do Governo.")

It was therefore only after the occupation of that port by the Portuguese, that commercial intercourse was rendered free and unrestricted; in point of fact this had not been the case previously.

Respecting what the Portuguese Government has to do in future in this matter, there can be no manner of doubt, since it is certain that all the important ports of the Portuguese colonies have of late years been open to foreign commerce. Ambriz will therefore be open to all flags without any exception, and traders and their property will find themselves free from all those annoyances which they have hitherto been subject to; they may build houses, cultivate land, and do everything else that is permitted by civilised nations.

Hence the result will be, that the security of persons and property will bring a considerable increase of people and goods to Ambriz; transactions will increase, and with this

augmentation the commercial interests of both Portuguese and foreigners will increase in that port. Therefore British subjects will benefit by the Portuguese occupation, in proportion to the capital they employ, and in this way, free and unrestricted intercourse will be effectively established in that port, both for English and other traders of all nations, which is what the British Government claims to require.

As regards the third kind: We think that in order to estimate the influence Portuguese occupation ought to exercise in Ambriz, on the increase or decrease of the slave trade, it is first necessary to see what the real state of affairs has been of late years in that port, with respect to the said trade.

Since the decree of the 10th December 1836 came into force, which abolished slave trade throughout the Portuguese Colonies, the traders of different nations who bought slaves at Angola began to transfer their dealings to the northern ports, and Ambriz has become one of the principal slave markets.

The Commander of the British naval station on the west coast of Africa informed the provisional Governor of Angola, on the 23rd August 1843, that, having been in Ambriz he had received positive information that there were three or four barracoons full of slaves situated five or six miles towards the interior of that bay waiting transport, and he said that there were some Portuguese residing there, from Loanda, who bought slaves, and that the slave traders had left the immediate territory of Angola, and gone to other places in its vicinity.

This information of the Commander of the naval station proves two things—first, that the traffic was active and had increased in Ambriz, where there was no Portuguese authority; and second, that it had diminished in the territory subject to the immediate action of Portuguese authority.

In 1845, a Portuguese cruiser captured the English brig "*Lady Sale*" in the port of Ambriz, which brig was condemned as a slaver by the mixed Commission at Loanda.

In 1848, the Commander of the Portuguese naval station of Angola, at the request of the British Commissioners of the respective naval station, went to Ambriz, where he landed and burned various barracoons, in which shackles and other articles used in the slave trade were found; in one of them, situated two miles from Ambriz, some slaves were found secured by chains; and again further towards the interior of the country, there were yet other barracoons, which he destroyed.

A printed letter, sent on the 19th January 1853, to Lord Palmerston, by Captain Wilmot of the Royal British Navy, who was then in command of the West African cruisers, in which he speaks of the traders established at the ports of this coast, continues as follows:—

"It is they who indirectly foster the slave trade, the American, like the Englishman, supplies such goods as the negro chief requires when he sells his slaves, and although the trade in ivory, &c., in Ambriz and other places is large, it cannot be disguised that the white man established in this country, is in favour of the trade, and does not attempt to open his mouth even when slaves are embarked under his eyes; and in point of fact the more active the trade in slaves is, the more profit he derives, because the money paid for the slaves reverts to his factory, in exchange for goods of all kinds."

He also says that the slave trade is exercised on a large scale on this coast under the American flag.

The British Commissioners of the Loanda Mixed Commission wrote to Lord Clarendon on the 26th December 1853 that—

"Few British merchants have hitherto gone to Ambriz to carry on lawful traffic. We are informed that the natives of

that place do not find it to their interest to engage in lawful trade of any kind, and it is much to be feared that so long as slave traders find that they can collect their living freights ready for shipment with impunity, aided and defended by the local chiefs as they now are, the said chiefs having hitherto resisted all attempts made to induce them to pursue a different line of conduct, it will be a matter of the utmost difficulty to entirely root out the slave trade in that place, especially while a flag exists which will cover their inhuman operations, as that of the United States now does."

In April 1854 Her Britannic Majesty's Minister at Lisbon sent the Portuguese Government a list of the names of individuals engaged in the slave trade, in which list the places where they carried on their trade were specified, one of these places being Ambriz.

And latterly, when the port was occupied, the Governor-General of Angola found some barracoons there, and slaves intended for shipment. From these particulars, the greater number of which were given by British functionaries, it results that the slave trade, harassed by the authorities at Angola, increased at the port of Ambriz and other ports to the north; that it was exercised at Ambriz on a large scale; that the English and other traders established there, favored the trade, because they profited in proportion to its growth; that one of those traders even assisted to carry it on by indirectly employing his own vessel in it; and that the American flag protects these transactions.

It is therefore evident, that while such a state of things as existed before the Portuguese occupation lasted, there were no means of stopping or even checking the slave trade at that port, because the cruisers could only be occasionally stationed there, and because they were not permitted to visit vessels carrying the American flag.

In view of these circumstances, the Portuguese Government holds the conviction that one of the most effectual

means, perhaps the only one, of impeding the slave trade at the port of Ambriz, consists in establishing responsible authorities there, assisted by a certain police force; who while giving all protection to lawful trade, will be a great obstacle to the trade in slaves.

Therefore if Portugal now abandoned that port, the trade would receive a new impetus, and the merchants, English and others, who have factories there, would derive new profits from the trade.

These then are the persons who most desire that there should be no authorities or Portuguese forces in that port. They perhaps complain that by an occupation their trade would suffer, and they probably speak the truth as regards the profits derived from the slave trade. But such complaints deserve just as little attention as those of a slaver would, who was being prevented from shipping a cargo of slaves on board his vessel, already prepared and in port for that purpose.

The extinction of the slave trade at Ambriz, which of late years has been one of the principal markets of Western Africa, is an object of the greatest importance to the prosperity of the province of Angola; because that market, while it is open, maintains the propensity for that contraband there, and consequently diverts the attention and capital of traders, which would otherwise be employed in lawful dealings.

Thus, as the English and Portuguese cruisers cannot put down the trade in Ambriz, because it is carried on by vessels protected up to a particular point by the American flag, it follows that the permanent occupation of the port, by a Portuguese force, is necessary to the industrial development of the province of Angola.

CHAPTER VII.

THE OCCUPATION OF AMBRIZ IN 1855. PROCEEDINGS OF THE PORTUGUESE AUTHORITIES. CORRESPONDENCE OF THE ENGLISH NAVAL COMMANDERS. SLAVE TRADE. LAWFUL COMMERCE. CONCLUSION.

The Portuguese Government, in ordering the occupation of the port of Ambriz, had the following motives in view :

1st. That of punishing the chief of the country for the insults and robberies offered to and committed on Portuguese property, and for the insolence with which he treated the notices and warnings of the Governor-General of Angola.

2nd. That of putting an end to the slave trade, which has been carried on at that port on a large scale.

3rd. That of protecting and promoting lawful commerce.

4th. That of exercising the right of sovereignty which the Portuguese Crown has over that territory.

1st Motive : The punishment of the offences committed by the chief, was not only an act of utility to the Portuguese traders, it was likewise so to the English and other traders, who suffered by his insults and robberies, as for instance in the month of November 1849, when the negroes of Ambriz burnt two barracoons, with the merchandise contained in them, belonging to a Liverpool house, whose loss, according to the advices of the British Consul at Lisbon to the Minister of Foreign Affairs in February 1850, was estimated at £10,000 sterling ; and as happened also even so recently as the month of March of the present year, when the chief took away the factors' servants, with whom they were quite contented, and obliged them to take others in whom they could place no confidence ; the result of which act of violence

being in addition to other excesses, that ninety-nine barrels of gunpowder were stolen from an English factory.

In order to bring the chief to reason for this latter outrage, the Commandant of the Portuguese naval station, with the commanders of the American corvette "*Dale*" and the English brig "*Linnæus*," went to parley with, and admonish him. This however produced no satisfactory result.

All that is stated in the foregoing is shown in the despatch of the 20th March last, from the Commander of the Portuguese naval station, in which he points out the necessity of inflicting exemplary punishment on the chief, for those and other outrages and robberies committed by him, during late years

Other warnings were given to the said chief by the Governor-General of Angola without any result; and things at last came to such a pass that some officers of the Royal Portuguese Navy, who had gone officially to the residence of the chief, were insulted.

Besides these offences, various others had been committed by the same person, on the Portuguese residing at Ambriz, the destruction of a house belonging to one of them, being still quite a recent event.

The Portuguese Government having consulted the Colonial Council on this subject, and agreed with their opinion, ordered the Governor-General of Angola to proceed without delay, to the reassertion of the ancient authority of the Portuguese Crown, over that part of the coast and the adjacent country.

Governor-General Coelho do Amaral, in fulfilment of the order received, embarked on the 11th May of the current year at Angola, with such troops as he thought necessary, on board the frigate "*D Fernando*" and other vessels, under the orders of Captain Rodovalho, Commander of the naval station, and sailed for his destination, where he arrived on the following day.

In order to be able to judge of the manner in which this occupation was carried into effect, we append the following extract from a despatch, which the Governor-General addressed to the Minister for Marine and Colonies, dated Ambriz, 21st May 1855 :—

“ On the 15th, I landed at Ambriz with the Commander of the naval station and fifty marines.

“ The factors wished to retreat for fear of the blacks. I succeeded in pacifying them.

“ The blacks gave some war-whoops at a great distance.

“ 16th. The blacks came to trade according to custom, but showed signs of being much enraged. I wrote to the chief.

“ 17th. I received an answer from the chief couched in an ironical tone. I again wrote to the chief.

“ 18th. The blacks appeared in considerable force and assumed a warlike attitude.

“ They kept at a distance, but some of them without being observed, succeeded in approaching three houses which were beyond our line, and set fire to them. As all houses here are built of square planking, lined with mats and thatched with straw, it was impossible to cut off the fire, though the armed forces started to do so; at sight of this all the negro forces retired.

“ At night fire appeared in another factory.

“ The loss from these fires was but small, as the owners had been careful to save the best (goods) and of the rest the troops were able to save a part.

“ Having requested the English and American houses, established here, not to barter gunpowder with the natives at this particular time, I was answered by a polite negative. The manager of the French house established here at once offered his services. I repaid their refusal by an offer to protect their houses with the troops, so that the blacks might not come and fire them by mistake. They accepted this offer, and thanked me much.

“The houses burnt were Portuguese factories.”

From the above extract it will be seen how those Portuguese and foreign traders, who were residing at Ambriz at the time of the landing of the expedition, were treated; it being certain that the troops landed without opposition; that the Governor-General offered soldiers to the factors for the protection of their huts, an offer which they accepted: and that some of them continued to supply powder to the negroes, who were in arms against the Portuguese, in spite of the Governor-General's request.

It therefore appears clear that these factors ought to have experienced a feeling of gratitude towards the Governor-General, for the attention he showed them, and for the safety their persons and property would enjoy from the extortions and robberies of the blacks; and for the assurance that they could henceforth transact their commercial dealings with perfect freedom.

If any destruction of property took place there, it was caused by negro rebels, to houses and goods belonging to Portuguese subjects.

2nd Motive: It has been already shown in the preceding chapter, how that the slave trade was conducted on a large scale at the port of Ambriz, and that the only means of suppressing it, consisted in occupying that place with Portuguese forces.

We have previously said that the Governor-General on his arrival, found various barracoons there, with slaves intended for shipment. The number of these exceeded 150. And it is remarkable that no one came forward to claim those slaves from the Governor-General. All of them were at once set free according to the law; some being sent to Loanda, and the others remaining at Ambriz to work on the fortifications which were being made there; and it is shown by a despatch from the same functionary, that three months after their liberation, not one of those

set at liberty had run away, notwithstanding their being perfectly free; which is a proof that they were well treated.

The Governor-General of Angola, in the instructions he issued to the official who acted as governor at Ambriz, dated 21st June, says—"§ 17th. The governor is recommended to use every means to suppress all attempts made to continue the trade. The known intelligence and recognised zeal of the Governor, convince me that His Majesty's decisive orders on this subject will be punctually executed."

And the occupation of this port was urgently required in order to put a stop to the slave trade, for this has increased considerably of late years, as may be inferred from the fact of 11,400 African slaves having been landed in the island of Cuba, during the year 1854, as may be seen from the contents of documents presented to the British Parliament in 1855.*

The complete extinction of the state of slavery, throughout the territory of Ambriz, must also follow this occupation, the Colonial Council having already given their opinion to Government to this effect, on the 25th September last. Subsequently, the same treatment will be extended to all our territories, as far as Molembo.

3rd Motive: Protection to lawful commerce. In the previously mentioned notes of Mr. Southern, Lord Palmerston, and the Earl of Clarendon, it is stated that in the interests of English commerce the British Government claims to maintain the right, which it says it possesses, of an uninterrupted intercourse with this portion of the coast.

The Portuguese Government having in the convention made with the French Government in 1786, stipulated that trade should be free in those ports of the coast situated north of Cape do Padrão (of the Pillar), and having also in 1791 declared to the British Minister at Lisbon that the

* "Anti-Slavery Reporter," Nov. 1855.

trade of British subjects should not be impeded at the port of Ambriz; and also caused an order to be issued to the Governor-General of Angola in 1838, to the effect that when the occupation of the various ports of that coast, ordered by the Government, was effected, he should grant full protection to the foreign commerce of all nations which should be permanently allowed there; and the Governor-General of Angola having in the act of recent occupation of Ambriz, proclaimed this same freedom of commerce to all nations, by order of the Government, as may be seen from the articles presently given, contained in the instructions which he left with the official placed in charge of the Governorship there; thus it follows that there can be no question on this point, as it has already been resolved in accordance with the wishes of the British Government. The principle being thus established, the mode of regulating its execution, when there shall be Portuguese authorities actually in the ports, cannot give rise to difficulties between the Governments of Portugal and England.

The occupation of Ambriz may be distasteful to one or two English or American houses, who were making rapid and considerable profits, the more considerable the greater the activity of the trade, by selling their goods to the traders. But it will certainly be a great boon to England and the United States, because it will tend to diminish the trade, and consequently lessen the necessity for maintaining a number of cruisers, and the corresponding cost incurred with them; and it will also tend to secure lawful trading, on the part of all the merchants of the above nations.

The instructions of the Governor-General above cited, contain the following:—

“ § 14th. Free trade to all flags as it formerly existed, that is to say, ships now only paying the Portuguese authorities

what they formerly paid the chief, under the title of '*Cos-tumes*'; a payment which is to be made without appeal, until H.M. Government can issue regulations on the subject."

By a warrant published in the Official Bulletin of the 26th May, the term of a year is given for this exemption.

These measures of the Governor-General were approved by the Government which proposed them, and which also ordered that the term of one year, should be reckoned from the date of the publication of the decree, which alters this resolution, in the Official Gazette at Lisbon. Nothing could certainly be more correct or more loyal than this mode of proceeding.

4th Motive : The exercise of sovereignty over the territories in question, became an act of duty on the part of the Portuguese Government, from the moment that the British Government, by giving a new interpretation to the treaties, pretended it had not according to these, acknowledged the rights of the Crown of Portugal to those territories ; for it might have been inferred that Portugal accepted the new interpretation, and abandoned rights, which had been held by the Crown for three centuries. Therefore, if this act had not been done, the Portuguese Government would have been guilty of a most serious omission of duty, both towards the nation, and towards the king.

And if this act of sovereignty was not carried into effect immediately the British Government presented this new interpretation to the Portuguese Government in 1846, it was undoubtedly owing to the fact that at the time this communication was made, the civil war, which only terminated in 1847, was raging with great violence ; and that in the succeeding years political security did not exist to an extent necessary for the adoption of adequate measures.

The Government, having decided to effect the occupation of some points on the said coast, had no need to consult any foreign Government respecting such decision, because, to submit an act of legitimate exercise of the Crown of Portugal's

right, to such an approval, would have been to acknowledge that it held some doubt respecting the right.

The English Government, by stating in 1846, and afterwards repeating that they did not recognise the right of Portugal to that part of the coast, never claimed any right of jurisdiction over it, neither ever even informed the Portuguese Government that they intended to dispute the right of the Crown to occupy that part of the coast, if it proved convenient to do so. Rather the contrary of this is deducible from the argument which the Earl of Clarendon made use of in his note of the 26th November 1853, wherein he said that Portugal had allowed the rights which she possessed, from priority of discovery of that part of the coast, to lapse, by reason of her not having occupied it.

Thus the logical deduction from this assertion is, that in the opinion of this Minister of State, so soon as Portugal made occupation an effective act, her ancient right would return; saving always the condition whereby free and unrestricted commercial intercourse was to be secured to British subjects with the natives of that coast.

If the English Government were to dispute Portugal's right to effectively occupy certain points of the coast, over which she had reserved her rights, without the former's consent previously obtained, such would be an unjust pretension, and contrary to the practice constantly followed by maritime nations, even of late years, in regard to lands inhabited by savage races; a practice of which we have had numerous examples in the course of the present century, even on the coast of Africa itself, as the following facts will show:

The Americans took possession of an extensive portion of the coast to the north of Cape Palmas, and there founded the colonies of Liberia and New Maryland.

The French established a fortified factory at Sed'hiou, on the banks of the river Casamansa, in Guinea, between the English and Portuguese colonies; they took possession of

the ports of Bassam and Assinie on the the coast of Mina (Africa); and south of the Equator, of the large port of Gaboon, near Cape Lopo Gonçaves, the ancient limit of the Portuguese possessions. With these acquisitions other important ones were made, such as Argel, the island of Mayota in the Mozambique Channel, the Marchioness Isles, Tahiti, and the large island of New Caledonia.

The Spaniards have taken possession, during the last seven years, of the Balanguingui and Jolo islands, in the Philippine Archipelago, by force of arms.

The Dutch have continued their conquests in the Great Indian Archipelago.

As regards the English, it would be very difficult to enumerate precisely the immense acquisitions they have made since 1815. It will be sufficient to mention those acquired in the vast continent of New Holland, and the large island of New Zealand, the greater part of the Birman Empire, the Punjaub, Scinde, Berar, Aden, Singapore, Hong Kong, Labuan and other places; while in Africa, since the acquisition of the Cape of Good Hope, they have occupied and colonised Natal within the last twenty years, and in 1848 they extended the Cape Colony much beyond its original limits, by the annexation of vast territories situate north of the Orange and Vaal rivers.

Assuredly neither the Americans nor the French, neither the English, the Spanish, nor the Dutch, when they decided to occupy the above and other places, asked permission of any foreign Government so to do. Similarly, the Portuguese Government neither could, nor should, have asked for such permission.

Two acts of the British Government will tend still further to show, that to be consistent with itself, it cannot dispute the occupation of Ambriz by Portugal.

1st Act: The Falkland Islands, in the South Atlantic, having been discovered by English navigators in the sixteenth

century, were nevertheless not permanently occupied by the English for upwards of two hundred years; they were however occupied by Spaniards. In the meantime the British Government, alleging the right of discovery, took possession of them in 1832, and founded a colony there, although the Argentine Republic had an establishment there, dependent on it, and its Government made representations on the subject.*

2nd Act: The island of Bulama, situated close to the coast of Guinea, at the entrance to the Gulf of the Rio Grande, and at a short distance from the Portuguese port of Bissau, of which it was considered a dependency because the inhabitants of this establishment had their tilled lands there, and had, from remote times, cut wood there for account of the Portuguese Government, was, some sixty years back occupied in part by a small colony, founded by a company of adventurers, which was formed in England. But the colonists, attacked by the fevers of the country and by the negroes of the neighbouring lands, became dispersed within a short time, and abandoned the island.†

With respect to the island, which was *actually* under Portuguese dominion, the British Government a few years ago, commenced raising claims, founded on the right said to have been derived from that temporary occupation; and the Portuguese Government contested its claim on the ground that the island had been discovered by the Portuguese, and that these were its earliest possessors. In the meantime, the British Government informed the French Government, under date the 30th September, 1853,‡ that it had taken formal possession of the said island.

The British Government sought to justify its action of

* Montgomery Martin.—“History of the British Possessions.”

† Idem.

Idem.

‡ Correspondence—Slave Trade—Class B—1854.

taking possession of the Falkland Islands, by founding it on the right of priority of discovery, made two centuries before; and in taking possession of the island of Bulama it endeavoured to justify the proceeding by founding it on the circumstance, alleged but not proved, that the island had been bought by certain British subjects from certain chiefs of the place, and also that there were English colonists established in the island.

Portugal discovered the port of Ambriz in the fifteenth century, conquered the country by arms, and occupied it towards the end of the eighteenth century by means of a fortress. The two distinct rights with respect to this territory are therefore here united: one only of which was deemed sufficient by England for her taking possession of the Falkland islands; and the other for declaring herself sovereign of the island of Bulama, in spite of the claim put forward by the Portuguese Government. But, even in addition to these two rights, Portugal possesses a third one, just mentioned—viz., that of the petty king or sovereign of the country, the Marquis of Mossulo, having in the year 1792, sent expressly to the city of Loanda, to render homage and swear vassalage to the Portuguese Crown.

The necessity which the Portuguese Government was in of exercising an act of sovereignty over the coast in question, also arose from the Earl of Clarendon's having declared to Count Lavradio in his note of the 26th November 1853, "That he had informed the Lords of the Admiralty that the treaty concluded by Captain Wilmot with the King of Cabinda would be valid, and its due execution enforced."

To consider as articles of a treaty the contents of a paper on which one of the negro chiefs of Cabinda, who was not even the petty king of the country, had made a cross by way of signature, whether he was in his senses, as Captain Wilmot states, or whether he had previously drunk a large portion of brandy, as the other chiefs assert; to declare

that act valid which would invalidate the rights of the Crown of Portugal to the territory of Cabinda, rendered it urgent for the Portuguese Government to take the necessary measures for the maintenance of those rights.

As a final proof of the necessity for this act of sovereignty, we will here refer to the behaviour of the Commodore of the English naval station.

After the occupation of Ambriz was effected, the Governor-General returned by way of the land to Loanda. In the beginning of June, Commander Need of the brig of war "*Linnet*," held a correspondence with him, relative to the said occupation, in which the usual style of mutual courtesy was observed. On the 15th August, the ship "*Scourge*" entered the port of Loanda, with Commodore Adams, chief of the naval station, on board, and on the 17th he addressed two despatches to the Governor-General, relative to the occurrences at Ambriz, in which the following paragraphs appear:—

1st. "It is my duty to protest in the most solemn manner against your behaviour, and to declare to you that I do not neither shall I recognise Portuguese authority in Ambriz, or in any other part of the coast situated between 5° 12' and the 8th degree south latitude.

"You did not think it necessary to inform Commander Need of your intention to take possession of Ambriz. . . . In order to state my opinion . . . it is sufficient to say that a person on whose authority I can rely, told me that it had been kept a close secret, and that from beginning to end this matter has been conducted in a clandestine, not to say furtive and undignified manner."

2nd. The other despatch, in stating that an English merchant schooner had been boarded in the port of Ambriz, by the launch of a Portuguese man-of-war, in sight of an English war vessel, continues: "I must express the surprise. I feel that such an open insult should have been practised in the presence of an English man of war, in

waters which England does not recognise neither will recognise as Portuguese; and I solemnly warn you that the repetition of such an act may decide me to 'pursue measures likely to disturb' the friendly relationship existing between the two countries and the responsibility of such 'will remain on your shoulders.'"

The Governor-General, after replying to a part of the contents of the Commodore's despatch, says: "As regards the opinion you entertain of my conduct in the affair of the occupation of Ambriz, I can only tell you that I am about to submit it to my Government, in the hope that it may consider it right to communicate it to H. B. M. Government, in order that the latter may decide whether it thinks it has been framed in a becoming manner."

The mode of proceeding of these two functionaries affords a strong contrast, for while Commodore Adams, forgetful of what a gentleman owes to himself, addressed himself in language both uncourteous and insolent to the delegate of a Government allied to England, Governor Amaral returned him a reply full of dignity.

This functionary deserves praise for the way in which he executed the orders of his Government concerning the above occupation, and Captain Rodovalho also merits the same, for the way in which he carried out the service with which he was entrusted.

What is written in this memorial proves most convincingly—

1st. That the Portuguese Government in ordering the occupation of the port of Ambriz acted within the limits of its rights.

2nd. That the declaration this Government made, that the port would be permanently open to the commerce of all nations, and be free for the space of one year; also the protection given in the act of occupation to the merchants who were found there, are all measures which ought to satisfy

the wishes manifested by the British Government, with respect to the security of English commerce in the said port.

3rd. That the permanent occupation of that port was the only means of abolishing the slave trade, which up to the moment of the landing of the Portuguese troops, was carried on there to a large extent.

And now in closing this short work we will express a hope that the British Government on examining the documents bearing on this question with due attention and by the light of the facts, will recognise that the Portuguese Government has acted as it ought to have done in the matter under notice. And to the Ministers forming the Cabinet we will only repeat the words of a statesman, an eminent orator of the British Parliament, which are as follows:

“In the multiform and complex relations of modern Europe, no statesman can free himself from those international regulations which are founded on the accumulated experience of ages, and are established especially for the defence of the weak against the dictatorship of the strong.”*

(The paragraph quoted above refers to the behaviour of the English Government towards Greece, in which the celebrated claims of David Pacifico, a person well known in Lisbon, played a prominent part.)

* D'Israeli. “Thirty Years of Foreign Policy.” London, 1855.

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